

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24903 of 2019

Arising Out of PS. Case No.-6 Year-2019 Thana- PHENHARA District- East Champaran

RAJIV KUMAR, aged about 40 years (M), Son of Ramakant Singh, Resident of Village-Kumharar, P.S.- Fenhara, District-East Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Abhishek Kumar, Advocate.
For the State	:	Mr. Kumar Ranjit Ranjan, A.P.P.
For the Informant	:	Mr. Ravi Ranjan, Advocate.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

5 23-08-2019 Heard learned counsel for the petitioner, learned counsel for the informant and learned A.P.P. for the State.

The petitioner is languishing in custody since 15.02.2019 in a case for the offence registered under Sections 394, 302, 120(B)/34 of the IPC and 27 of the Arms Act.

The prosecution story, in brief, is that the uncle of the informant Manoj Kumar Akela used to run S.B.I. Customer Service Centre at his *Darwaza*. On 11.02.2019 at about 1.00 P.M., he went from his house for bank work. According to knowledge, he went for bringing cash. In the meantime, at about 3.00 P.M., the informant came to know that his Manoj uncle sustained firearm injuries. On information, when he went to the place of occurrence, he found his uncle unconscious. He was



admitted at Madhuban Hospital from there he was referred to S.K.M.C.H. Muzaffarpur where the doctor declared him dead. From the place of occurrence, Mobile No. 9334049000 of his uncle, cash, wrist watch and gold chain was missing. The informant suspected that the criminals might have killed his uncle due to cash of C.S.P. and jewellery.

It has been submitted by learned counsel for the petitioner that the petitioner has falsely been implicated in the present case. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner is not named in the F.I.R. His name has come on the basis of confessional statement of co-accused Ashutosh Kumar. Except for confessional statement of co-accused, there is no other substantive evidence to suggest the implication of the petitioner in the present case.

On behalf of the learned counsels for the State and the informant, it has been submitted that the petitioner is not named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned 12th



A.C.J.M., Motihari, East Champaran, in connection with
Fenhara P.S. Case No. 6 of 2019.

(Sudhir Singh, J)

U.K./-

U		T	
---	--	---	--

