

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25950 of 2019

Arising Out of PS. Case No.-118 Year-2018 Thana- CHACKMENSI District- Samastipur
=====

AJAY KUMAR Son of Late Chandeshwar Mahto, Resident of Village-
Bishanpur Bande, P.S-Samastipur (M), District-Samastipur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Ajay Kumar
For the Opposite Party/s	:	Mr.Jai Narain Thakur

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

3 14-08-2019 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner seeks bail in connection with

Chakmehsi P.S. Case No. 118 of 2018 for the offence under

Sections 394, 307, 302/34 of the Indian Penal Code and 27

of the Arms Act.

Learned counsel appearing for the petitioner

submits that the petitioner, who is of clean antecedent, is

innocent and has not committed any offence. In fact, the

petitioner has not been named in the F.I.R. which is evident

from the F.I.R. itself rather his name has surfaced in this case

on the basis of confessional statement of the co-accused,

Rakesh Kumar, who has already been granted bail by the



Court below. The petitioner is languishing in judicial custody since 12.12.2018. Hence, the petitioner may be enlarged on regular bail.

Learned counsel for the state has opposed the prayer for bail and submitted that the petitioner along with the co-accused, Rakesh Kumar, has been seen roaming near by the shop of the informant in suspicious condition on the date of occurrence, this fact has disclosed by the injured, Satya Narayan Das in paragraph-62 of the case diary. Moreover, the mobile of the deceased has been recovered from the possession of the petitioner which is evident from paragraph-85 of the case diary. Therefore, the petitioner does not deserve to be enlarged on regular bail.

Considering the facts and circumstances of the case, this Court is not inclined to grant regular bail to the petitioner. Accordingly, the prayer for grant of regular bail of this petitioner is rejected.

(Arvind Srivastava, J)

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