

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26477 of 2019

Arising Out of PS. Case No.-225 Year-2018 Thana- HAZIPUR INDUSTRIAL District-
Vaishali

=====

ABHISHEK KUMAR @ AVISHEK KUMAR @ MASTU Son of Randhir
Verma Resident of Mohalla- Jangali Prasad Lane, Chowk Shikarpur, P.S.-
Chowk, Patna City, Town and District- Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Patna.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Pramod Kumar

For the Opposite Party/s : Mr.Nagendra Prasad

=====

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

3 22-05-2019 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in a case registered for the
offence punishable under Section 302 of the Indian Penal Code
and Section 27 of the Arms Act.

Son of the informant is said to be gunned down by
some unknown miscreants on the gate of the factory.

It is submitted by the learned counsel for the
petitioner that no such occurrence as alleged ever took place.
Petitioner has no concern with the aforesaid occurrence. He is not
named in the F.I.R. There is nothing cogent on record indicating
the complicity of the petitioner in the occurrence barring his



own confessional statement and the confessional statement of the accused Rahul Anand @ Chiku which has no evidentiary value in the eyes of law. Petitioner has been languishing in custody since 6.2.2019 but he was not put on T.I.P. as yet. There is no eye witness of the occurrence. Similarly, situated co-accused namely Rahual Ananad @ Chiku has been enlarged on bail by co-ordinate Bench of this Court passed in CR. Misc. No. 32791 of 2019 vide order dated 17.5.2019.

Per contra learned A.P.P. for the State opposed the bail petition and submitted that spy has named the petitioner in the occurrence and there is confessional statement of petitioner as well indicating complicity of the petitioner in occurrence, hence petitioner does not deserve bail.

In the facts and circumstances of the case, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M. Vaishali at Hajipur, in connection with Industrial Area P.S. Case No. 225 of 2018.

(Prakash Chandra Jaiswal, J)

T.Kr./-

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

