

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38758 of 2019

Arising Out of PS. Case No.-849 Year-2018 Thana- SHASTRINAGAR District- Patna

Praduman Kumar @ Baba, Son of Sanjay Mahto, Resident of Village -
Sampatchak Bairyra, P.S. - Gopalpur, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Akhauri Kamal Kishore Sahay, Advocate
For the Opposite Party/s : Mr. Ashok Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 25-09-2019 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 302/120B of the Indian
Penal Code and Section 27 of the Arms Act.

The FIR of the occurrence of murder is against
unknown person. Name of the petitioner surfaced during
investigation of the case as one of the persons who were fleeing
from the place of occurrence on two motorcycles. The same was
confirmed from the CCTV footage also. However, no overt act
is alleged against the petitioner nor he was seen committing any
overt act in the CCTV footage. Only material is confessional
statement before the police. Even in that statement of the
petitioner or co-accused, no overt act is alleged against the
petitioner. Some other co-accused have already been allowed



bail either by this Court vide order dated 13.05.2019 passed in Cr. Misc. No. 13765 of 2019 or a Coordinate Bench of this Court.

Hence, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Sessions Trial No. 381 of 2019 arising out of Shastri Nagar Police Station Case No. 849 of 2018, subject to the following conditions:-

(a) The petitioner shall fully cooperate with the trial of the case, failing which the learned court below shall be at liberty to cancel the bail bond of the petitioner.

(b) Both the bailors shall be resident of the territorial jurisdiction of the learned court below.

(Birendra Kumar, J)

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