

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.69886 of 2018

Arising Out of PS. Case No.-156 Year-2018 Thana- BARAUNI District- Begusarai

Saurav Kumar, Son of Late Anil Ray, Resident of Village- Simaria (Near Middle School), P.S.- Barauni (O.P. Chakiya), District- Begusarai.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Naresh Singh

For the Opposite Party/s : Mr. Amrendra Prasad

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 23-01-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is languishing in custody since 01.09.2018 in a case registered for the offences punishable under Sections 394, 302 and 34 of the I.P.C. and under Section 27 of the Arms Act.

The prosecution case as per the written report of Shanti Bhushan submitted to the S.H.O., Chakiya O.P. is to the effect that the informant received an information to the effect that the accountant of his bricks kiln has been shot by some miscreants. When the informant reached at the spot he found that the accountant has received firearm injury on his chest and left arm. On inquiry, one staff namely, Babloo Singh conveyed that 3-4 miscreants who had covered their faces with clothes, entered into the office, opened fire on the accountant



and took away Rs. 25,000/-, some relevant papers and mobile phone.

Learned counsel for the petitioner submits that the name of the petitioner sprang up on the confessional statement of the co-accused Dilip Kumar. It is further submitted that there is neither any evidence against the petitioner nor any recovery has been made from the possession of the petitioner and it is further submitted that the co-accused Dilip Kumar, has been granted bail by co-ordinate Bench of this Court vide order dated 18.12.2018 in Cr. Misc. No.76201 of 2018. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP after going through the case diary submits that the name of the petitioner sprang up on the confessional statement of the co-accused.

Considering the fact that the name of the petitioner sprang up on the confessional statement of the co-accused, Dilip Kumar no recovery has been made from the possession of the petitioner, coupled with the statement in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on bail, on furnishing bail



bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned **C.J.M., Begusarai** in connection with **Barauni (Chakiya) P.S. Case No.156 of 2018.**

(Dinesh Kumar Singh, J)

Deepak/Rahul/-

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