

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44869 of 2019

Arising Out of PS. Case No.-500 Year-2018 Thana- JAKKANPUR District- Patna

Chintu Kumar, son of Naresh Paswan, resident of village Pachrukhiya P.S.
Fatuha District Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dilip Kumar, Advocate

For the Opposite Party/s : Mr.Mukeshwar Dayal

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 21-10-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner who is in custody since 27.10.2018 has filed the instant application for grant of bail in connection with S.T. No. 423 of 2019 arising out of Jakkanpur P.S. Case No. 500 of 2019 (District Patna) registered for the offence punishable under sections 302, 201 and 34 of the Indian Penal Code.

As per the allegation in the FIR, the son of the petitioner who had gone to attend the Dushera celebration in Patna did not return. It was stated that subsequently a girl telephoned the informant's co-villager and informed him that 4-5 boys had beaten up the informant's son and had drowned him. Subsequently, the dead body of the informant's son was



recovered from a water channel next to the Chanakya Management Institute.

It is submitted by learned counsel for the petitioner that the petitioner is not named in the FIR and the girl who is said to have made the phone call informing about the death of the informant's son is admittedly not an eye-witness to the occurrence. It was further submitted that the name of the petitioner transpired in course of investigation on secret information having been received from a spy. It transpires that the petitioner and two of his friends, from the date of occurrence were not driving their tempos nor were they coming to the bus stand. On this a suspicion was raised, the petitioner was arrested and is said to have confessed his guilt in a confessional statement made before the police. It was submitted that besides this confessional statement made before the police, there is no other material against the petitioner who has not been put on T.I. Parade. He has no criminal antecedent and is in custody since 27.10.2018.

The application for bail was opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the above facts including the fact that the



petitioner is in custody since 27.10.2018, he has not been put on T.I. Parade, charge sheet has been submitted in the case and has no criminal antecedent, the Court is inclined to enlarge the petitioner on bail. Let the petitioner, above named, be enlarged on bail on his furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge 14th, Patna in connection with S.T. No. 423 of 2019 arising out of Jakkampur P.S. Case No. 500 of 2019 (District Patna)

(Partha Sarthy, J)

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