

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53385 of 2019

Arising Out of PS. Case No.-350 Year-2018 Thana- DINARA District- Rohtas

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1. Bhalu Pal @ Pradip Kumar Pal (Male), aged about – 36 years, son of Ram Ayodhya Pal.
 2. Rajesh Chaudhary (Male), aged about -25 years, son of Jang Bahadur Chaudhary.
Both are resident of Village - Bararhi, Police Station- Sikraul, District – Buxar.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Kumar No. 2

For the Opposite Party/s : Mr. Nand Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 25-11-2019 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

Petitioners seek regular bail in connection with Dinara
P.S. Case No. 350 of 2018, registered for the offence punishable
under Sections 302, 201 and 34 of the Indian Penal Code and
Section 27 of the Arms Act.

The F.I.R. is against unknown. The co-accused was
arrested and confessional statement of the co-accused Laxman



Chaudhary has been recorded by the Police, which has been made part of the First Information Report. From perusal of the confessional statement it appears that petitioners along with other accused persons fired upon the father of the informant, leading to his death

Mr. Manish Kumar No. 2, learned counsel appearing for the petitioners submits that petitioners have been made accused on the basis of confessional statement of one Laxman Chaudhary and even if the confessional statement of the co-accused is taken into account, it would be evident that no overt act is there against the petitioners. Learned counsel further submits that petitioners have got no criminal antecedent and the co-accused Laxman Chaudhary, on whose confessional statement petitioners have been implicated in this case, has been granted bail by this court vide Cr. Misc. No. 3692 of 2019. Learned counsel further submits that petitioners are in custody since 01.04.2019.

Having regard to the submissions made by learned counsel for the parties and taking into consideration the fact that name of petitioners have come in the confessional statement of the co-accused Laxman Chaudhary, no overt act has been attributed against the petitioners, petitioners have got



no criminal antecedent and the co-accused on whose confessional statement petitioners have been implicated in this case has already been granted bail, I am inclined to grant regular bail to the petitioners.

Accordingly, let the petitioners Bhalu Pal @ Pradip Kumar Pal and Rajesh Chaudhary be enlarged on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) each with two sureties of the like amount each to the satisfaction of Sri Lal Bihari Paswan, learned Judicial Magistrate 1st Class, Bikramganj (Rohtas) in connection with Dinara P.S. Case No. 350 of 2018.

(Anil Kumar Sinha, J)

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