

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72314 of 2019

Arising Out of PS. Case No.-267 Year-2019 Thana- SARAI District- Vaishali

DEEPAK @ AMAR KUMAR Son of Raja Prasad Rai Resident of Village-Dighi Kala West, Police Station-Hajipur Sadar in the district of Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar

For the Opposite Party/s : Mr.Dr. Ajeet Kumar

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 04-12-2019 Heard learned counsels for the parties.

The petitioner is languishing in custody since 1.8.2019 in a case registered for the offences punishable under Sections 302/34 of the I.P.C. and Section 27 of the Arms Act.

The prosecution case as per the Fardbeyan of Upendra Singh recorded by SI Dharmjeet Mahto, SHO, Sarai Police Station on 20.7.2019 is to the effect that on 19.7.2019 the informant got information that his brother namely, Ravindra Singh has been killed. Thereafter, the informant and his family members went to the place of occurrence and found the dead body of his brother lying on the road in front of restaurant of Bhola Singh with 15-20 fire arm injuries, leading to registration of FIR against unknown. The name of the petitioner surfaced in the confession of co-accused.



It is submitted by learned counsel for the petitioner that except confession of co-accused, there is nothing on record to suggest the involvement of the petitioner in the commission of offence. Statement has been made in paragraph 3 of the petition that the petitioner is accused in one other case apart from the present one and investigation has already been concluded.

Learned APP submits that the name of the petitioner surfaced in the confession of co-accused.

Considering the fact that except confession of co-accused, there is nothing on record to suggest the involvement of the petitioner in the commission of offence, the investigation being concluded and the period in custody, let the petitioner above named 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 the learned ACJM XIII, Vaishali at Hajipur in connection with Sarai P.S. Case No. 267 of 2019.

(Dinesh Kumar Singh, J)

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