

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70999 of 2019

Arising Out of PS. Case No.-13 Year-2019 Thana- SARAI RANJAN District- Samastipur

KAMLESH RAI Son of Late Ram Pukar Rai Resident of Village-Bhograjpur,
Dashahara, P.S.-Mohanpur (O.P. Patori), District-Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shashank Shekhar

For the Opposite Party/s : Mr.Abhay Kumar Roy

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 09-12-2019 This application, for grant of anticipatory bail, arises out of Sarairanjan P.S. Case No. 13 of 2019, disclosing offences under Section 302 of the Indian Penal Code and Section 27 of the Arms Act.

Prosecution case is that one dead body was recovered and F.I.R. was lodged against unknown. Later on one Shivdhar Giri was arrested, who confessed his guilt and also disclosed the names of petitioner and others, who were involved in committing murder of the deceased.

Submission of learned counsel for the petitioner is that save and except confessional statement of co-accused, there is absolutely nothing against the petitioner and the deceased himself was a criminal and she might have been killed by some other person and in some other manner. It has further been



submitted that the co-accused on whose confession, the name of petitioner has surfaced in this case, has already been enlarged on bail by a coordinate Bench of this Court vide order dated 10.07.2019 passed in Cr. Misc. No. 46002/2019

Learned counsel for the State opposed the prayer for bail on the ground that the name of petitioner has surfaced in the confession of co-accused Shivdhar Giri and he has confessed that the petitioner and other accused persons had fired on the deceased, however, he has admitted that only two fire arm injuries were found on the person of the deceased whereas, allegation of firing is against several accused persons.

Having heard both sides, considering the facts and circumstances of the case, this application is allowed. Let the petitioner, above named, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty five Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate -VI, Samastipur, in connection with Sarairanjan P.S. Case No. 13 of 2019, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure with further subject to the condition that petitioner shall cooperate in investigation and



appear before the police as and when required, otherwise, his
bail bonds will be cancelled.

(Vinod Kumar Sinha, J)

sunilkumar/-

U		T	
---	--	---	--

