

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2304 of 2020

Arising Out of PS. Case No.-690 Year-2019 Thana- PATRAKARNAGAR District- Patna

SUDHIR KUMAR Son of Ram Pravesh Rai Resident of Village - Baudha Chak, P.S.- Parsa Bazar, Distt.- Patna.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ganesh Prasad Yadav, Advocate

For the Opposite Party/s : Mr.Chandra Sen Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

4 20-03-2020 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner in the present case is seeking regular bail in connection with Patrakar Nagar P.S. Case No. 690 of 2019 registered for the offence punishable under Sections 302, 34 of the Indian Penal Code and 27 Arms Act.

Learned counsel for the petitioner submits that this petitioner is not named in the F.I.R. and the informant who claims to be an eye-witness has specifically alleged that the two co-accused namely Dablu and Bholu had fired upon her husband killing him. So far as this petitioner is concerned, his name has transpired in the confessional statement of the co-accused Kedar Rai but there is no independent witness to connect the petitioner with the present case.



Learned APP for the State has though opposed the prayer for regular bail of the petitioner, however considering the facts and circumstances of the case wherein in the F.I.R. itself specific allegation of firing has been made against the two co-accused, petitioner is not named in F.I.R. and the confessional statement of the co-accused Kedar Rai has been recorded in which his name has transpired, there is no other material which has been pointed out to this Court against the petitioner and further there is no submission that release of the petitioner is likely to interfere with the course of trial or the petitioner may tamper with evidence, let the petitioner above-named be released on bail on furnishing bail bond of Rs.15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-VIII, Patna, in connection with Patrakar Nagar P.S. Case No. 690 of 2019, subject to the conditions as laid down under Section 437(3) of the Cr.P.C. as under:

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and



(c) that such person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

(Rajeev Ranjan Prasad, J)

SUSHMA2/-

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

