

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5061 of 2020**

Arising Out of PS. Case No.-99 Year-2019 Thana- FESHAR District- Aurangabad

Jay Kumar, Son of Dharmdeo Yadav Resident of Village - Banauli, Barauli,
P.S.- Barun, District- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bachan Jee Ojha, Advocate

For the Opposite Party/s : Mr. Akhileshwar Dayal, APP

**CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER**

5 29-05-2020 Heard Mr. Bachan Jee Ojha, learned counsel for
the petitioner and Mr. Ram Priya Sharan Singh for the State.

The petitioner, who is in custody since 23.10.2019,
seeks bail in connection with Fesar P.S. Case No. 99 of
2019 dated 09.10.2019 instituted for the offences under
Sections 302, 201 and 34 of the Indian Penal Code.

A U.D. case was registered in the first instance and
later the subject FIR came to be lodged.

The deceased was identified to be the son of one
Bhagwat Singh. Bhagwat Singh later disclosed that the
deceased was having an affair with one Neelam Kumari and
therefore he raised suspicion of killing the deceased on the
family members of aforesaid Neelam Kumari. In the process,
one Akhilesh Kumar, brother of aforesaid Neelam Kumari,
was arrested who confessed his guilt. Aforesaid Akhilesh
Kumar is also said to have named the petitioner as one of



the accomplices. The petitioner is also said to have made a confession.

Learned counsel for the petitioner submits that but for the confession of Akhilesh Kumar and his so called confessional settlement, there is no other material against the petitioner to connect him with the crime. The petitioner has got no connection with Neelam Kumari and he has been made accused in this case only on the basis of suspicion.

Regard being had to the nature of accusation against the petitioner and his period of custody, he is directed to be released on bail on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Aurangabad in connection with Fesar P.S. Case No. 99 of 2019.

(Ashutosh Kumar, J)

krishna/Gaurav

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