

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9449 of 2020

Arising Out of PS. Case No.-567 Year-2019 Thana- MANER District- Patna

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KAMLESH SINGH S/O Late Girija Singh @ Girija Prasad Singh, Resident
of Village - Dayalchak, P.S. - Maner, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Satish Chandra

For the Opposite Party/s : Mr.Lalan Kumar

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 01-06-2020 Heard both sides through Video Conferencing.

Petitioner seeks bail in Maner P.S. Case No.567 of
2019 registered under Sections 302 and 34 of the IPC and under
Section 27 of the Arms Act.

The informant (widow of the deceased) alleged that
she got information from Ravindra Singh (brother-in-law) that
Pappu @ Ujjwal shot her husband Kamlesh Kumar Singh dead
and his dead body was lying about 200 meters away from the
school. The dead body of her husband was brought to the Sadar
Hospital, Danapur. The informant called Kamlesh Singh
(petitioner) and Bipin Singh on their mobiles but their mobiles
were found switched off. The informant suspected that Kamlesh
Singh (petitioner) and Bipin Singh were also involved in the
murder of the husband of the informant.



Learned counsel for the petitioner submits that there is absolutely no evidence against the petitioner. There is specific allegation against Pappu @ Ujjwal, who shot the husband of the informant dead. It has come that the petitioner was present there but no specific allegation is made against the petitioner.

Learned Additional Sessions Judge rejected the prayer for bail of the petitioner on the basis of confessional statement of the petitioner incorporated in para 61 of the case-diary in which the petitioner is said to have admitted the fact that the petitioner was present at the time of occurrence but presence of the petitioner at the time of occurrence does not show the involvement of the petitioner in the murder of the husband of the informant.

Learned A.P.P. vehemently opposed the prayer for bail.

Having considered the facts that save and except the material that the petitioner was present at the time of occurrence, there is no specific allegation of firing against the petitioner and the allegation of firing is made against Pappu @ Ujjwal, who is said to have shot the husband of the informant dead, the petitioner named above is directed to be released on bail on furnishing bail bond of Rs.10,000/-(rupees ten thousand)



with two sureties of like amount each to the satisfaction of
learned J.M., 1st Class, Danapur, Patna in connection with
Maner P.S. Case No.567 of 2019.

(Prabhat Kumar Jha, J)

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