

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19698 of 2020

Arising Out of PS. Case No.-164 Year-2015 Thana- BACHHWARA District- Begusarai

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SUMAN KUMAR @ SUMAN KUMAR SINGH Son of Mahendra Singh
Resident of Village- Dularpur, P.S.- Teghra, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ansul

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 30-06-2020 Heard both sides through Video Conferencing.

The petitioner seeks bail in Bachhwara P.S. Case No.164 of 2015 registered under Sections 364, 302, 392 of the Indian Penal Code and under Section 27 of the Arms Act.

The owner of the oil tanker bearing registration No.BR09J-7729 is the informant. The informant disclosed that the driver and the co-driver were taking the oil tanker but Nishant Kumar informed that some unknown criminals came on pickup van and scorpio overtook the tanker, kidnapped the driver and the co-driver and they shot dead the driver and the co-driver and took away oil tanker.

The learned counsel for the petitioner submits that the petitioner is not named in the F.I.R. The name of the petitioner for the first time surfaced in the case in para 84 and 85 of the



case diary in which Santosh Rai and Govind Kumar confessed their guilt. Save and except the confession of the co-accused, there is no material against the petitioner. Petitioner is in jail since 03.02.2020 but he has not yet been put on T.I.P. Similarly situated other co-accused persons namely Santosh Rai, Sanjeev Kumar, Bablu Kumar and Govind Kumar have already been enlarged on bail by order passed in Cr. Misc. No.2949 of 2016, Cr. Misc. No.16263 of 2016, Cr. Misc. No.18898 of 2016 and Cr. Misc. No.9851 of 2016. The case of the petitioner stands on better footing as the petitioner has not confessed his guilt. Save and except the confession made by the co-accused, the investigating officer did not collect any tangible material.

Considering the facts aforesaid, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. VI, Begusarai in connection with Bachhwara P.S. Case No.164 of 2015.

(Prabhat Kumar Jha, J)

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