

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS NO. 21833 of 2020

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Shailendra Kumar, Son of Yogendra Prasad, resident of Mohalla – Nuranibagh
 Colony, Police Station – Alamganj, District – Patna.

.....Petitioner

Versus

The State of Bihar

.....Opposite Party

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Appearance:

For the Petitioner/s : Mr. Madanjeet Kumar, Adv.

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

02. 07.09.2020

Heard Mr. Madanjeet Kumar, learned counsel for the petitioner and
 Mr. Ram Priya Sharan Singh, learned APP for the State.

The petitioner seeks bail in connection with Kankarbagh P.S. Case No.
 79 of 2020 dated 29.01.2020 instituted for the offences under Sections
 302/34 of the Indian Penal Code and Section 27 of the Arms Act.

The son of the informant is stated to have been murdered. Some of the
 colleagues of the deceased had told the informant that the deceased had
 disclosed that he was attacked by some unknown persons while he was on his
 way to college.

Learned counsel for the petitioner has submitted that the petitioner is
 not named in the First Information Report and his prosecution in this case is



only on the basis of the confession made by one Birendra Kumar. There is a reason behind the aforesaid confession by the said Birendra Kumar. Birendra Kumar is the brother of the deceased and the petitioner is a partner with him in a wholesale business. There is some dispute between the partners and, therefore, the petitioner has been named in the confession. There is no eye-witness of the occurrence and except for the aforesaid confession made by the said Birendra Kumar, there is no material to connect the petitioner with the offence. He is in custody since 05.02.2020.

Regard being had to the afore-stated facts, the petitioner, above named, is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Rs. Ten Thousand) with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate –I, Patna in connection with Kankarbagh P.S. Case No. 79 of 2020.

(Ashutosh Kumar, J)

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