

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29795 of 2020

Arising Out of PS. Case No.-230 Year-2019 Thana- TARIYANI CHOWK District- Sheohar

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RUPESH KUMAR @ RUPESH @ GOLU Son of Subodh Upadhya @ Subodh
Padhaya @ Subodh Pathaya Resident of Village - Sahpur, P.S.- Sheohar,
District – Sheohar. Petitioner

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh
For the Opposite Party/s : Mr. Ram Chandra Sahni, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 11-11-2020 Due to COVID-19 Pandemic, the matter is being

taken up by way of Virtual Court proceeding.

The matter has been listed under the heading ‘For
Orders’ under the orders of Hon’ble the Chief Justice.

Learned counsel for the petitioner is directed to
remove the defects, as pointed out by the Office, within a period
of four weeks from the date of restoration of normalcy.

Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case instituted for the
offences under Sections 302/34 of the Indian Penal Code and
27 of the Arms Act.

The prosecution case, in short, is that the accused
persons shot fire at the father of the informant due to which he
died.



It has been submitted on behalf of the petitioner that the petitioner is in custody since 13.01.2020. There is no allegation of tampering of witnesses alleged against the petitioner. Charge-sheet has been submitted in the present case. The petitioner is not named in the F.I.R. The name of the petitioner has transpired on the basis of his self confession made before the Police. There is no recovery of any incriminating articles from the possession of the petitioner. The petitioner has not been put on T.I.P. to ascertain his participation in the alleged occurrence.

On behalf of the State, it is submitted that the petitioner is not named in the F.I.R.

Considering the aforesaid facts and circumstances, it is directed that the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. -II, Sheohar in connection with Tariyani P.S. Case No. 230/2019.

(Sudhir Singh, J)

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