

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29603 of 2020

Arising Out of PS. Case No.-301 Year-2020 Thana- DEHRI TOWN District- Rohtas

CHHOTU KUMAR @ DHIRAJ KUMAR, Son of Lallu Singh, Resident of
Village - Chakanwa, Police Station - Indrapuri, District - Rohtas (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajani Kant Singh, Advocate

For the Opposite Party/s : Mr. Shyam Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 23-11-2020 The matter has been taken up through virtual Court proceeding.

Let the defects be removed within two weeks of the start of the physical Court.

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

Petitioner seeks bail in a case registered for the offences punishable under Sections 147, 148, 149, 341, 326, 307, 506, 120B, 302 of the Indian Penal Code and Section 27 of the Arms Act.

Submission is that FIR of the occurrence of murder is against unknown. Name of the petitioner surfaced in the confessional statement of co-accused Bimlesh Kumar. Petitioner is in custody since 30.04.2020.



Submission is that except confessional statement of co-accused before the police, while in police custody, there is no other material against the petitioner and confessional statement cannot be proved as evidence.

Learned counsel for the informant opposed the prayer for bail on the ground that mobile tower location of the petitioner was verified during investigation and it revealed that the petitioner was nearby the place of occurrence at the time of occurrence. It has further come that the petitioner had talked with co-accused whose name surfaced during course of investigation.

Considering the lake of material against the petitioner for the purpose of consideration of this prayer for bail as well as no material to substantiate that the petitioner is going to tamper with the evidence, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Dehri Town (Indrapuri O.P.) Police Station Case No. 301 of 2020, subject to the following conditions:-

(a) The petitioner shall fully cooperate with the investigation/trial of the case, failing which the learned court below shall be at liberty to cancel the bail bond of the petitioner.

(b) Both the bailors shall be resident of the territorial



jurisdiction of the learned court below.

(c) The petitioner shall not leave the country without permission of the learned trial court.

(Birendra Kumar, J)

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