

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71242 of 2019

Arising Out of PS. Case No.-205 Year-2019 Thana- PURNEA SADAR District- Purnia

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BHOLA RAY Son of Late Mekha Ram Resident of Village - Narkatiya Bazar,
P.S.- Darpa, Distt.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shashi Bhushan Kumar

For the Opposite Party/s : Mr.Chandra Bhushan Prasad

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 05-03-2020 Heard both sides.

The petitioner seeks bail in Purnea Sadar P.S. Case No.205 of 2019 registered under Sections 341, 324, 307, 302 and 34 of the Indian Penal Code.

The informant lodged the case against unknown alleging therein that while his father, Akhtar Hussain was returning his house after closing the shop with his grandson, some miscreants stabbed him to death. The grandson also sustained injuries on account of blows of knife.

The learned counsel for the petitioner submits that the petitioner is not named in the F.I.R. The name of the petitioner surfaced in the case in the confessional statement of Shatrudhan Ram. A mobile and slippers are said to have been left at the



place of occurrence but there is no material to show that the petitioner is anyway connected with the alleged occurrence save and except the confessional statement of Shatrudhan Ram as contained in para 16 of the case diary. Even the C.D.R. shows that Shatrudhan Ram was found in the vicinity of the occurrence and there is no material against the petitioner.

Learned A.P.P. did not dispute this fact.

It appears that learned Sessions Judge referred para 16 and 21 of the case diary and rejected the regular bail of the petitioner on the basis of the material available in para 16 and 21 of the case diary. Para 16 of the case diary contains the confessional statement of Shatrudhan Ram and para 21 is the statement of Md. Mobin but Md. Mobin did not disclose the name of the petitioner. He narrated the entire story how the father of the informant was killed by the miscreants and about the recovery of mobile and slippers from the place of occurrence.

Considering the fact that save and except the confessional statement of Shatrudhan Ram there appears no tangible material against the petitioner, 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 Chief Judicial
Magistrate, Purnea in connection with Purnea Sadar P.S. Case
No.205 of 2019.

(Prabhat Kumar Jha, J)

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