

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80745 of 2019

Arising Out of PS. Case No.-218 Year-2019 Thana- DURGAWATI District- Kaimur (Bhabua)

AKSHAY KUMAR @ NEPALI, Male, aged about 20 years, Son of Late Raj
Kumar Ramani @ Bhundol, Resident of Village - Karmanasha, P.S.-
Durgawati, Distt – Kaimur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Rajesh Kumar Pathak, Advocate.
For the Opposite Party : Mr.Bhanu Pratap Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 27-05-2020 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.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in a case registered for the
offences under Sections 302 and 201/34 of the I.P.C. Later on,
Sections 396, 412 and 120(B) of the I.P.C. were also added.

The prosecution case, in short, is that on the alleged
date of occurrence and time when the informant when to the
place of occurrence, he found that the hands, legs and eyes of a



person were tightened with clothes of different colours and his neck was found to be cut with sharp edge weapon.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 09.09.2019. The petitioner has falsely been implicated in the present case. Charge sheet has been submitted in this case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner is not named in the F.I.R. The name of the petitioner has come in the present case only on the basis of confessional statement of co-accused. No looted article is said to have been recovered from possession of the petitioner.

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

Considering the facts and circumstances of the case and also the lockdown, the petitioner, above named, is directed to be released on bail on his personal bond to the satisfaction of learned I/C Chief Judicial Magistrate, Bhabua (Kaimur) and or his successor or where the case is presently pending in connection with Durgawati P.S. Case No. 218 of 2019.

Once the normalcy is restored, the petitioner shall furnish bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of four



weeks to the satisfaction of the court concerned in connection
with the aforesaid case.

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(Sudhir Singh, J)

