

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.597 of 2020**

Arising Out of PS. Case No.-87 Year-2019 Thana- TANKUPPA District- Gaya

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Rahul Kumar @ Rahul Dhobi, aged about 28 years, Male, Son of Shankar Rajak, Resident of Suryakund, P.S.-Vishnupad, District-Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Vinod Kumar, Advocate

For the Opposite Party/s : Mr.Narsingh Tanti

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**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

4      29-05-2020                      Heard the parties through the virtual court proceeding.

The petitioner seeks bail in connection with Tankuppa P.S. Case No. 87 of 2019 registered for the offences punishable under Sections 302/201/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that in a case of double murder wherein the informant has not named the petitioner, the petitioner's name has surfaced on the basis of the confessional statement made before the police which has no evidenciary value. He further submits that during the entire course of narration, there is no whisper about the involvement of the petitioner. The name of the petitioner surfaced only in the confessional statement made before the police by the said Tirel Yadav, who was named therein and subsequently the petitioner was arrested on the basis of such confessional statement and he



too has made his inculpatory self-statement, which has also no evidenciary value. Learned counsel for the petitioner further submits that there being no iota of material, save and except the confessional statement of the said Tirel Yadav and also no further material indicative of the guilt of the petitioner. Learned counsel for the petitioner further submits that charge sheet has been submitted in the present case and petitioner is in jail custody since 09.11.2019. He further submits that similarly situated co-accused has been granted bail by this Co-ordinate Bench of this Court vide order dated 04.12.2019 passed in Cr. Misc. No.79403 of 2019.

In the facts and circumstances of the case, let the petitioner above named be released on bail on furnishing bail bond of Rs. 25,000/- (twenty five thousand) only with two sureties of the like amount each to the satisfaction of A.C.J.M.1st, Gaya in connection with Tankuppa P.S. Case No. 87 of 2019, subject to the following conditions :

- (1) One of the bailors will be his own relative, namely, father, mother, brother, sister and/or his wife.
- (2) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.
- (3) The petitioner shall remain physically present in



court on each and every date during trial and in the event of his failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

(4) The petitioner shall co-operate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

**(Anjani Kumar Sharan, J)**

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