

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15410 of 2021**

Arising Out of PS. Case No.-605 Year-2020 Thana- SONEPUR District- Saran

RAKESH SAH SON OF BISHWANATH SAH Resident of Village -
Anandpur, P.S.- Sonapur, Distt.- Saran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sarvan Kumar
For the Opposite Party/s : Mr.A.P.P.

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 23-07-2021 This matter is taken up for consideration through Video Conferencing.

Heard learned counsel for the petitioner and the State.

The petitioner prays for grant of bail in a case registered for the offence punishable under section 302/34 of the Indian Penal Code and section 27 of the Arms Act.

As per prosecution case, informant came to know that his son was killed by some unknown criminals.

It is submitted on behalf of petitioner that petitioner is not named in the FIR. The name of the petitioner has come on the basis of confessional statement of co-accused Akash Kumar. Except confessional statement, there is no substantive evidence to show the complicity of this petitioner in the occurrence. Petitioner is in custody since 10.11.2020.



Learned counsel for the State opposes the prayer for bail.

Considering the facts and circumstances of the case, this bail application is allowed. Let the petitioner 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 the Chief Judicial Magistrate, Saran, Chapra in Sonapur P.S. Case no. 605/2020 on the following conditions.

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Prabhat Kumar Singh, J)

s.hassan/-

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