

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17529 of 2021

Arising Out of PS. Case No.-371 Year-2020 Thana- BUXAR MUFFSIL District- Buxar

Ajay Kumar @ Ajay Kumar Rajak Son of Late Mehi Lal Village Pandey
Patti, Police Station- Buxar (M), District- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ramchandra Singh, Adv.
For the Opposite Party/s	:	Mr. Ravi Shankar Roy, APP
For the informant	:	Mr. Abhay Kumar Rai, Adv.

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 04-10-2021

Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 302, 307 and 34 of the Indian Penal Code and section 27 of the Arms Act.

As per the prosecution case, the five accused persons surrounded the son of the petitioner and indiscriminate firing by them led to his death. They escaped on three motorcycles being driven by three other accused persons. On being taken to the hospital he was declared dead.

It is submitted by learned counsel for the petitioner that the F.I.R. was registered against unknown. The petitioner was falsely implicated in the case in course of investigation. The material being relied on against the petitioner is the confessional statement of the petitioner made before the police which is



inadmissible, and the confessional statement of coaccused Kheru Singh and Krishna Kumar made before police. It is submitted that the petitioner is in custody since 5.12.2020 and chargesheet has been submitted in the case.

The prayer for bail of the petitioner is opposed by learned A.P.P. for the State and learned counsel for the informant. Learned counsel for the informant submits that not only the petitioner has confessed his crime but the other accused persons have also confessed to the participation of the petitioner and his providing motorcycle and arms to the accused persons. The petitioner has criminal antecedent and as such it is prayed that the application for bail be rejected.

Having heard learned counsel for the parties and taking into consideration the facts of the case together with the petitioner having remained in custody since 5.12.2020, the Court directs the petitioner to be enlarged on bail in connection with Buxar (M) P.S. Case no. 371 of 2020 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, Buxar.

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(Partha Sarthy, J)

