

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21939 of 2021

Arising Out of PS. Case No.-200 Year-2020 Thana- GOPALPUR District- Patna

Rishi Kumar Son Of Shankar Prasad Resident Of Mohalla- Jay Prakash Nagar
P.S. Jakkanpur , District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Sanjay Kumar Sinha
For the Informant	:	Mr. Gajendra Kumar Singh
For the Opposite Party/s	:	Mr.Ajit Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 13-09-2021 This matter is taken up for consideration through
Video Conferencing.

Heard both parties.

The petitioner seeks bail in Gopalpur P.S. Case No.
200 of 2020, registered for the offence punishable under
Sections 302/34 of the Indian Penal Code and section 27 of the
Arms Act.

As per the prosecution case, daughter of the informant
was shot dead by some unknown miscreants on 09.07.2020.

It is submitted on behalf of the petitioner that
petitioner is not named in the FIR. Name of this petitioner has
come in this case on the basis of confessional statement of co-
accused and it is further alleged that on his confession pistol



which was used in the commission of murder was recovered. Further submitted that co-accused Navin Kumar having similar and identical allegation has been granted bail by a coordinate Bench of this Court vide order dated 07.09.2021 passed in Cr. Misc. No. 14286 of 2021. Save and except confessional statement of co-accused there is no material against this petitioner which shows his complicity in the aforesaid crime. Petitioner has been remanded in this case on 28.08.2020 and he is in custody since 10.07.2020. Chargesheet has already been submitted.

However, counsel for the informant vehemently opposed the prayer for bail and submitted that it was this petitioner who shot the deceased.

Considering the facts and circumstances of the case and the fact that similarly situated co-accused has been granted bail, the petitioner above-named, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate IX, Patna in connection with Gopalpur P.S. Case No. 200 of 2020, subject to following conditions:-

- (i) The 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 in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

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

(Prabhat Kumar Singh, J)

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