

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26133 of 2021

Arising Out of PS. Case No.-328 Year-2020 Thana- CHAINPUR District- Kaimur (Bhabua)

Amit Ram Son Of Gopi Ram R/O Village- Kharigawan, P.S.- Chainpur,
District- Kaimur (Bhabhua).

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satyendra Pandey

For the Opposite Party/s : Mr. Shailendra Kumar -1 A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 27-07-2021 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Chainpur P.S. Case No. 328 of 2020, registered for the offence under Section 302/34 of the Indian Penal Code.

As per the prosecution case, the husband of the informant went to *Bazar* without any information and at around 8:30 PM, co-accused Kanhaiya Ram alongwith 6-7 unknown persons came to the house of the informant with her husband (deceased), who was in unconscious condition, and later on, the informant found that her husband was dead. It is suspected that co-accused Kanhaiya Ram alongwith 6-7 unknown persons



committed the murder of husband of the informant by strangulation.

Petitioner is not named in the FIR. Name of the petitioner has come during course of investigation on the basis of confessional statement of co-accused Kanhaiya Ram. There is no eye-witness to the alleged occurrence and save & except confessional statement, which has no evidentiary value, there is no other substantive evidence to show complicity of the petitioner in the aforesaid crime. Petitioner has got clean antecedent and he is in custody since 02.01.2021.

Learned A.P.P. for the State has opposed the bail petition.

Considering the aforesaid facts and circumstances, the bail petition of petitioner is allowed. Let the above named petitioner be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. - II, Bhabua, Kaimur in connection with Chainpur P.S. Case No. 328 of 2020, on the following conditions:

“(1) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court below and shall remain physically present, as directed by the court below, and on his absence on two consecutive dates without sufficient reason, his



bail-bond shall be cancelled 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.)

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