

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27335 of 2021**

Arising Out of PS. Case No.-136 Year-2020 Thana- GHOGHARDIHA District- Madhubani

Devendra Kamat @ Devendra Kumar @ Chhotu Son of Ramavtar Kamat
Resident of Ward No. 8, Kalipur (Parsa), P.S.- Phulparas, District-
Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Yogendra Kumar

For the Opposite Party/s : Ms. Pronoti Singh

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

3 22-11-2021 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Ghoghardiha P.S. Case No. 136 of 2020 instituted for the
offences under Sections 458, 382 and 302 of the Indian Penal
Code.

Learned counsel for the petitioner submits that the
petitioner is in custody since 12.09.2020, charge-sheet has been
submitted in the case and has got a criminal case against him as
mentioned in paragraph '3'.

Learned counsel for the petitioner submits that from
bare perusal of the allegation as alleged in the F.I.R. it would
manifest that the informant alleges that he is residing at Kolkata



with his family for the purposes of livelihood and on 25.08.2020, he received information that his mother, Manorama Devi who was living alone in the village was killed by unknown thieves by pressing her neck during the course of committing theft. The said information was given to the police but the F.I.R. came to be instituted only when the informant came from Kolkata.

Learned counsel for the petitioner submits that the F.I.R. is against unknown and the name of this petitioner has come on the confessional statement of Sushil Kumar Kamat and Devendra Kamat who were arrested based on information provided by the spy of the police. Learned counsel submits that this petitioner has been falsely implicated in this case and the confessional statement has no evidentiary value.

Learned A.P.P. for the State has assisted the Court after perusing the case diary and fairly submits that the name of this petitioner has come on the confessional statement of Sushil Kumar Kamat and Devendra Kamat who were arrested based on information provided by the spy. Paragraph '64' and '65' of the case diary records the confessional statement of the co-accused aforesaid.

Considering the fact that the petitioner is in custody



since 12.09.2020 and the charge-sheet has been submitted in the case, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand only) each with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Jhanjharpur, Madhubani in connection with Ghoghardiha P.S. Case No. 136 of 2020 subject to the condition as laid down under Section 437 (3) Cr.P.C.

(Satyavrat Verma, J)

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