

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30254 of 2021

Arising Out of PS. Case No.-152 Year-2019 Thana- BIHRA District- Saharsa

Golu Kamat @ Goloo Kamat Son Of Badri Kamat Resident Of Village-
Sihaul P.S. Bihara, District- Saharsa

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Amarnath Jha, Advocate
For the Opposite Party : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 26-10-2021 Heard the parties.

The petitioner prays for grant of regular bail in a case registered for the offence punishable under sections 302/386/34 of the Indian Penal Code and section 27 of the Arms Act.

As per the prosecution case, brother of the informant used to travel by his bike for his business purpose and 10-12 days prior to the alleged occurrence, he conveyed to the informant that some persons intervened him and petitioner Golu Kumar threatened and demanded extortion of Rs.50,000/- from the brother of the informant. On 24.08.2019, the brother of the informant proceeded to his house by his bike from Saharsa railway station, but he did not reach there. During search, the dead body of the brother of the informant was found lying in Bihra Police Station, leading to registration of the FIR



against petitioner Golu Kumar and co-accused Shrawan Kumar.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case on suspicion. There is no eye witness of the occurrence. No substantive evidence has been collected during course of investigation to suggest the implication of this petitioner in the present case. The only allegation against the petitioner is that the petitioner was seen with the deceased before the incident. Similarly situated co-accused has already been allowed bail by a co-ordinate bench of this Court vide Annexure 2. Petitioner is in custody since 29.11.2019.

Considering the aforesaid facts and circumstances of the case, prayer for bail of the petitioner is allowed. Let the petitioner, mentioned above, 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 Judicial Magistrate, Saharsa in Bihar Police Station Case No. 152 of 2019.

(Prabhat Kumar Singh, J)

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