

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27115 of 2020

Arising Out of PS. Case No.-196 Year-2019 Thana- SAKRI District- Madhubani

RAKESH KUMAR SAH Son of Late Anup Sah Resident of Village -
Anyaypur, Police Station - Katra, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar Singh

For the Opposite Party/s : Mr.A.G

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

4 08-01-2021 Heard learned counsel for the petitioner and learned
APP for the State.

Learned counsel for the petitioner is directed to
remove the defect(s), as pointed out by the office, within a
period of four weeks.

The petitioner seeks bail in a case for the offence
registered under Sections 392 & 302 of the Indian Penal Code
and 25(1-b) and 27 of the Arms Act.

Prosecution case in short is that while the informant's son
Raiyam having Rs. Six lacs meant was going to the bank for
deposit, reached near new gate of Sugar Mill, three unknown
miscreants came there and fired shot, as a result of which, he
sustained fire-arms injury. Thereafter, he was taken to hospital
where the doctor declared him dead.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. There is no allegation
of tampering of witnesses alleged against the petitioner. Charge



sheet/Prosecution report in this case has already been submitted. The petitioner is in custody since 28-12-2019. The petitioner is not named in the FIR. The name of the petitioner transpired in this case on the basis of his self-confessional statement made before the police. There is no eye witness to the alleged occurrence nor there is any circumstantial evidence to suggest the participation of the petitioner in the present case. There is no recovery of any incriminating article from possession of the petitioner.

On behalf of the State, it is submitted that the petitioner is not named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances of the case, let the petitioner, above named, 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 Chief Judicial Magistrate, Madhubani in connection with Sakari P.S. Case No. 196 of 2019, CRI No. 2329.

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(Sudhir Singh, J)

