

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.33981 of 2020

Arising Out of PS. Case No.-573 Year-2019 Thana- MAKHDUMPUR District- Jehanabad

Rajeev Kumar Son of Rajendra Paswan Resident of Gopalpur, Post-Tej Bigha, P.S. Kako, Kazisarai, District-Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vivek Anand Amritesh

For the Opposite Party/s : Mr.Uday Chandra Prasad

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

5 05-02-2021 Heard learned counsel for the parties.

This application for regular bail arises out of Makhdumpur P.S. Case No. 573 of 2019, disclosing offence punishable under Sections 395, 396, 397 of the Indian Penal Code and Section 27 of the Arms Act.

As per the prosecution's case, 5-6 unidentified miscreants entered into the informant's house and after shooting her husband dead, they looted various articles. During course of investigation, name of one Ravi Kumar surfaced, who made his confessional statement before the police, based on which certain looted articles were recovered from possession of co-accused Sunil Sao, as per the case diary.

From the case diary, it appears that there is no



material suggesting petitioner's participation in the commission of the offence. His name has surfaced on the basis of confessional statement of Sunil Sao, who is said to have disclosed to the police that he had handed over four looted mobile phones to the petitioner and on the subsequent disclosure made by the petitioner said mobile phones were recorded by the police found concealed beneath earth in a field, wrapped in a polythene bag.

Learned counsel for the petitioner has submitted that the petitioner is in custody since 05.01.2020 and co-accused Sunil Sao has been allowed regular bail by this Court by an order dated 12.11.2020, passed in Cr. Misc. No. 25744 of 2020.

Considering the circumstance that there is no material suggesting petitioner's involvement in commission of the offence of *dacoity* with murder and recovery of allegedly looted mobile phones on disclosure made by the petitioner is the only material against him, the Court is inclined to allow the petitioner privilege of regular bail. This application is accordingly allowed.

Let the petitioner, above-named, be released on bail on furnishing bail bonds of Rs. 10,000/-(ten thousand), with two sureties of the like amount, each to the satisfaction of learned



S.D.J.M., Jehanabad in Makhdumpur P.S. Case No. 573 of
2019.

(Chakradhari Sharan Singh, J)

Rajesh/-

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