

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.36108 of 2020**

Arising Out of PS. Case No.-185 Year-2019 Thana- ATHMALGOLA District- Patna

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Shivam Kumar, aged about 19 years, male, S/o Shri Jetendra Singh, R/o  
Village- Achuara, P.S.- Barh, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Bhola Kumar, Adv.

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR**

ORAL ORDER

2      07-04-2021                      Heard Mr. Bhola Kumar, learned Advocate for the  
  
petitioner and Mr. Ram Priya Sharan Singh, learned APP for  
  
the State.

The petitioner seeks bail in anticipation of his  
arrest in connection with Athamalgola P.S. Case No. 185 of  
2019, dated 12.10.2019, instituted for the offences under  
Sections 143, 341, 342, 323, 307 and 302 of the Indian  
Penal Code.



According to the F.I.R., one Golu Ram was injured by a vehicle being driven in a reckless manner. When this was protested, Suraj Kumar and Ankul Kumar are said to have assaulted Golu Ram, which led to his death.

It has been submitted on behalf of the petitioner that he is not named in the F.I.R. and his implication in this case is only on the basis of confession made by aforesaid Ankul Kumar.

There is no other material to connect the petitioner with the offence.

Considering the fact afore-stated, viz., implication of the petitioner on the basis of a confession made by an arrested accused person, he, in the event of his arrest or surrender before the learned Court below within a period of eight weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Barh, District-Patna in connection with Athamalgola P.S. Case No. 185 of 2019, subject to the conditions laid down



under Section 438(2) of the Cr.P.C.

While saying so, this Court has also taken note of the fact that the petitioner does not have criminal antecedents.

The application stands allowed.

**(Ashutosh Kumar, J)**

Praveen-II/-

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