

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36993 of 2020

Arising Out of PS. Case No.-220 Year-2019 Thana- SOHSARAI District- Nalanda

KHELAWAN SAO SON OF DHURI SAO RESIDENT OF MOHALLA
BARI PAHARI (MANSOOR NAGAR), P.S.- SOHSARAI, DISTRICT-
NALANDA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur
For the State	:	Mr. Awadhesh Kr. Singh
For the informant	:	Mr. Ganesh Sharma

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 02-03-2021 Heard both sides.

The petitioner seeks bail in Sohسرائي P.S. case No.
220/2019 registered u/s 302, 201/34 of the IPC.

Dharmendra Kumar, the informant, is brother of the
deceased. The informant disclosed that on 22.08.2019 one boy
came to meet his younger brother, Ravi Kumar @ Dulla and
after five minutes his brother went away along with that boy.
His brother was having mobile No. 9060440755 but his brother
did not return in the night. In the next morning the informant got
information that a dead body is lying near sales tax office. The
informant went there and identified dead body of his brother.
The dead body was bearing injury on his right armpit which
shows that his brother was killed by pointed and sharp edged



weapon.

The learned counsel for the petitioner submits that petitioner is not named in the FIR. Name of the petitioner surfaced in the case in the confessional statement of co-accused Mukesh Kumar. Mukesh Kumar disclosed that petitioner was also accompanying him at the time of murder but the police did not collect any further material to show the involvement of the petitioner in the murder of the brother of the informant. Sahdeo Sao, father of Mukesh Kumar, has already been granted bail and the petitioner also deserves bail.

The learned APP as well as the learned counsel for the informant vehemently opposed the prayer for bail but the learned counsel for the informant at the same time admits that save and except confessional statement of Mukesh Kumar no further tangible material is collected against the petitioner. On the basis of confessional statement of Mukesh Kumar one grill is said to have been recovered but grill does not connect the petitioner with the crime.

Having considered the facts that name of the petitioner surfaced in the case in the confessional statement of Mukesh Kumar before the police and on the basis of disclosure made by Mukesh Kumar in his confessional statement the police



did not collect any further material to show the involvement of the petitioner in the alleged murder of brother of the informant and Sahdeo Sao, whose name also surfaced in the case in the confessional statement of Mukesh Kumar, has already been granted bail, the petitioner, above named, is directed to be enlarged on bail on his furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge- VI- Nalanda at Bihar Sharif in connection with Sohsarai P.S. case No. 220/2019.

(Prabhat Kumar Jha, J)

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