

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38437 of 2020

Arising Out of PS. Case No.-2 Year-2020 Thana- RANIYATALAB District- Patna

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Suraj Pandey @ Suraj Kumar Pandey @ Bajrangee Pandey Son Of Banktesh Pandey @ Bankatesh Pandey Resident Of Village Dhodhandih, Ps.- Kachhwa, District- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arun Sharma, Adv

For the Opposite Party/s : Mr.Shyam Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 22-02-2021 Let the defects be removed within four weeks.

Heard the parties.

Petitioner seeks bail in a case registered for the offences punishable under Sections 302/34 of the IPC and 27 of the Arms Act.

According to FIR, on 2nd of January 2020, Pankaj Kumar, the son of the informant, left for the house of his Mause. On 03.01.2020, he left the house of Mause for his own village, on foot, however, on 04.01.2020, the villagers informed that murder of Pankaj Kumar has been committed and the dead body was lying in the field side. During investigation, some witnesses stated that the deceased was seen alongwith this petitioner and two others going on a motorcycle. The petitioner made



confessional statement before the police regarding his involvement and involvement of others.

Learned counsel for the petitioner submits that petitioner is in custody since 19.01.2020. Only suspicion is there against the petitioner, and the law is well settled that suspicion, however, strong cannot take the place of proof. The confession before the police while in police custody has no evidentiary value.

Learned counsel for the informant opposed the prayer for bail.

Considering the lack of sufficient material against the petitioner for refusal of prayer for bail, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Ranitalab Police Station Case No.02 of 2020 with following conditions:

(a) Both the bailors shall be resident of territorial jurisdiction of the learned Court-below.

(b) The petitioner shall fully cooperate with the trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.



(c) The petitioner shall not leave the country without
permission of the trial Court.

(Birendra Kumar, J)

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