

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2695 of 2021

Arising Out of PS. Case No.-113 Year-2019 Thana- MANIYARI District- Muzaffarpur

DHIRAJ KUMAR @ PACHHU S/o Late Binod Bhagat R/o Village- Basauli,
P.S.- Kudhani, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh, Advocate
For the Opposite Party/s : Ms. Gulnar Begum, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 23-06-2021 Heard Mr. Ajay Kumar Singh, learned counsel for
the petitioner and Ms. Gulnar Begum, learned Additional Public
Prosecutor appearing for the State through video conferencing.

Petitioner seeks regular bail in connection with
Maniyari P.S. Case No. 113 of 2019 registered for the offence
punishable under Section 302/34 of the Indian Penal Code 1860
and Section 27 of the Arms Act.

The prosecution story in brief is that one Sundar
Kumar had gone to his shop and was shot dead by three
unknown Motorcycle borne criminals.

Learned counsel for the petitioner submits that the
petitioner is not named in the First Information Report and his
name transpired on the basis of confessional statement made by
co-accused Abhishek Yadav recorded in Musahri P.S. Case No.



226 of 2019 and based upon that statement, the petitioner has been taken into remand in the present case on 26.11.2019.

Learned counsel referring to paragraph-66 of the case diary submits that even the confessional statement of co-accused Abhishek Yadav is taken on its face value, the same does not disclose the involvement of the petitioner in the present offence. Learned counsel also submits that the co-accused Abhishek Yadav has been granted bail by a co-ordinate Bench of this Court in Cr. Misc. No. 17834 of 2020 and except the confessional statement of co-accused Abhishek Yadav, there is no material against the petitioner to connect him in the present offence. Learned counsel next submits that the petitioner is in custody since 26.11.2019 and charge sheet has already been submitted in the matter.

Having regard to the submissions made by the parties and taking into consideration the materials on record and the fact that co-accused Abhishek Yadav on whose confessional statement, the name of petitioner transpired in the present offence, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bonds of Rs.25,000/- (Twenty five thousand) with two sureties of the like amount



each to the satisfaction of Shri Nayan Kumar, learned Judicial Magistrate, 1st Class, Muzaffarpur (West), in connection with Maniyari P.S. Case No. 113 of 2019.

It is made clear that at the time of furnishing bail bonds all the parties shall follow the guidelines regarding social distancing.

(Anil Kumar Sinha, J)

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