

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9491 of 2021**

Arising Out of PS. Case No.-241 Year-2020 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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Golu Kumar @ Ritesh, aged about 19 years, Male, Son of Ramshish Singh,
R/o Village Samho, P.S. Matihani, District Begusarai.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shashank Kumar Singh, Advocate

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

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**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

3 10-09-2021 Heard learned counsel for the petitioner and learned
APP for the State through virtual court proceedings.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 307/302/34 of the Indian Penal
Code as well as under Section 27 of the Arms Act.

As per allegation in the FIR, while the informant was
coming back home along with his brother, the brother of the
informant was shot dead by Ramnath Kumar and two other
persons.

Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in this case.
It is further submitted that petitioner is not named in the FIR.
Name of the petitioner surfaced in the case on the basis of
confessional statement of co-accused, Bhola Kumar and Vijay
Kumar. It is submitted that Bhola Kumar and Vijay Kumar have



been granted bail by a co-ordinate Bench of this Court vide order passed in Cr. Misc. No.31025 of 2020 and Cr. Misc. No.25719 of 2020. The petitioner is in custody since 16.06.2020 and petitioner has got four criminal antecedents as stated in para 3 of the bail petition.

Learned counsel for the State opposed the prayer for bail of the petitioner and submits that on the basis of the confessional statement of the co-accused, the police raided the house of the petitioner and recovered arms and ammunitions as mentioned in para 68 of the case diary for which Samho P.S. Case No.26 of 2020, dated 19.05.2020 was registered.

Considering the facts that on the basis of confessional statement of the co-accused, arms and ammunitions were recovered from the house of the petitioner and the petitioner has got four criminal antecedents, I am not inclined to enlarge the petitioner on bail. Accordingly, the prayer for bail of the petitioner is rejected in connection with Muffasil P.S. Case No.241 of 2020.

However, the petitioner may renew his prayer for bail after framing of charge.

(Anjani Kumar Sharan, J)

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