

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4543 of 2022

Arising Out of PS. Case No.-1 Year-2021 Thana- KIUL RAIL P.S. District- Lakhisarai

Abhilekh Kumar Son of Bharat Singh Resident of Village - Sherpur, P.S.-
Maranchi, Distt.- Patna. Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar, Advocate

For the Opposite Party/s : Mr. A.G

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 07-06-2022 Heard learned counsel for the petitioner and learned

A.P.P. for the State.

The petitioner seeks regular bail in connection with
Rail kiul (Barahiya Rail P.P.) P.S. Case No. 01 of 2021 instituted
for the offences under Sections 302, 201, 34 of the Indian Penal
Code.

Learned counsel for the petitioner submits that the
petitioner is in custody since 28.10.2021, charge-sheet has been
submitted in the case and has antecedent of one case.

Learned counsel for the petitioner submits that
informant has alleged that his son namely, Shiwam Kumar
(deceased) left the house on 01.01.2021, thereafter his dead
body was found near the railway track of Badhaiya on
02.01.2021. It is further stated that he raised suspicion against
unknown persons, who had informed the informant some time
ago that Shiwam (deceased) is having an affair with his
daughter, namely, Laxmi Kumari and informant had traced out



the photograph of his son Shiwam Kumar with the girl, named Laxmi Kumari. Therefore, it is suspected that either the family member of Laxmi Kumari or her boy friend had killed his son.

Learned counsel for the petitioner further submits that petitioner is not named in the F.I.R and he has been made accused on the basis of confessional statement of Laxmi Kumari, who has already been granted bail by a co-ordinate Bench of this Court vide order dated 20.12.2021 passed in Cr. Misc. No. 24020 of 2021 at Annexure-2.

Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioner.

Considering the fact that the petitioner is in custody since 28.10.2021, charge-sheet has been submitted in the case, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of learned Railway Judicial magistrate, Kiul in connection with Rail kiul (Barahiya Rail P.P.) P.S. Case No. 01 of 2021.

(Khatim Reza, J)

Gaurav Kumar/-

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