

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11669 of 2022

Arising Out of PS. Case No.-309 Year-2021 Thana- SULTANGANJ District- Patna

Ravi Kumar, Son of Kiran Ram, R/O Mohalla- Ambedkar Colony, P.S.-
Sultanganj, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raj Krishan Jha, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 05-07-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Let the defect (s), as pointed out by the office, be removed within a period of four weeks from the date of resumption of physical filing and physical removal of defect.

In the present case, the petitioner seeks bail in connection with Sultanganj P.S. Case No. 309 of 2021 registered for the alleged offences under Sections 341, 302, 201, 34 of the Indian Penal Code and Section 27 of the Arms Act.

The prosecution case is that the co-accused persons committed murder of the brother of the informant and this petitioner tried to conceal his dead body.

The learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case and it is



apparent from the FIR that the informant is not an eye witness to the occurrence. Even if the allegation against the petitioner is taken on face value, only a case under Section 201 IPC would be made out. No overt act has been attributed to this petitioner for any of the offence under Section 302 IPC and Section 27 of the Arms Act. Further no incriminating articles has been recovered from the possession of this petitioner. The charge sheet has been submitted in this case and the petitioner is in custody since 15.11.2021. He is having clean antecedent.

Learned APP opposes the prayer for bail submitting that specific allegation against the petitioner is that he tried to conceal the dead body of the deceased.

Having regard to the submissions made hereinabove and considering the fact that the case of the petitioner is distinguishable from the other co-accused persons against whom there is allegation of killing the brother of the informant, whereas, this petitioner is stated to have helping to conceal the dead body and further considering his period of custody, the petitioner above named is directed to 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 Additional Chief Judicial Magistrate-VI, Patna City, Patna, in



connection with Sultanganj P.S. Case No. 309 of 2021, subject
to the following conditions :

(i) One of the bailors will be a close relative of
the petitioner.

(ii) The petitioner will remain present on each and
every date fixed by the court below.

(iii) In case of absence for three consecutive
dates or in violation of the terms of the bail, the
bail bond of the petitioner will be liable to be
cancelled by the court concerned.

V.K.Pandey/-

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(Arun Kumar Jha, J)

