

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32396 of 2021

Arising Out of PS. Case No.-487 Year-2020 Thana- PHULWARISHARIF District- Patna

AMAN KUMAR S/O SRI RAM BALAK PASWAN R/O VILLAGE-DHANAUT, P.S-RUPASHPUR, DISTRICT-PATNA PERMANENT R/O VILLAGE-BANS KOTI, I.T.I., P.S.-DIGHA, DISTRICT-PATNA.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kumar Sinha

For the Opposite Party/s : Mr.APP.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 03-01-2022 Heard learned counsel for the petitioner and learned counsel for the State.

Petitioner seeks bail in connection with Phulwarisarif P.S. Case no. 487 of 2020 registered for the offence punishable under section 302/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that petitioner is in custody since 7.10.2020 and charge sheet has been submitted and he has one antecedent as mentioned in para 3 of bail application. Learned counsel for the petitioner submits that from perusal of the allegation as alleged in the FIR, it would manifest that the informant alleges that while he was on patrolling duty found a man lying in a pool of blood near FCI godown, Khagaul Road with neck slit and the victim was taken



to PMCH in an injured condition where he died. It is further stated that one Bittu Kumar identified the deceased and disclosed before the police that his brother was known to Bobby Paswan, Aman Kumar and Anshu Kumar and had rift with them, it is submitted that similar statement was given by father and wife of the deceased. Learned counsel submits that thereafter Bobby Paswan was arrested who disclosed the name of the petitioner as one of the accomplice in the occurrence. It is thus submitted that petitioner's name surfaced based on the confessional statement of co-accused when family members of the deceased had not even raised any suspicion against this petitioner. Learned counsel further submits that the petitioner has been implicated merely on the basis of confessional statement.

Learned APP opposes the prayer for bail.

Considering the facts that petitioner is in jail custody, charge sheet has been submitted and his name surfaced based on confessional statement of co-accused, the petitioner is directed to be released on bail on furnishing bail bonds of Rs 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of the Addl. Chief Judicial Magistrate IX, Patna in Phulwarisarif P.S. Case no. 487 of 2020



with condition that one of the bailers shall be father of the
petitioner.

(Satyavrat Verma, J)

s.hassan/-

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