

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23812 of 2022

Arising Out of PS. Case No.-69 Year-2020 Thana- ISHIPUR District- Bhagalpur

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Bhojal Murmu Son of Late Durga Murmu Resident of Village- Barmasiya,
P.S- Ishipur Barahat, Dist- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

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

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 26-08-2022 Heard learned counsel appearing on behalf of the

petitioner and learned counsel appearing on behalf of the State

through virtual Court proceedings.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Ishipur
(Barahat) P.S. Case No. 69 of 2020 registered for the offence
under Sections 302, 201, 34 of the I.P.C.

The accused/petitioner is not named in the F.I.R. and
is in custody since 07.10.2020.

The allegation against the petitioner is to commit
murder of the son of the informant along with other named co-
accused persons.

Learned counsel appearing on behalf of the petitioner



submitted that the name of petitioner surfaced on the basis of confessional statement of co-accused, namely, Binod Murmu, who has already been granted bail by one of the learned co-ordinate Bench of this Court through Cr. Misc. No. 35771 of 2021 vide order dated 28.09.2021. It is further submitted that the present F.I.R. has been lodged after two days of the occurrence without any just explanation. It is further submitted that implication of the petitioner is purely on the basis of suspicion as nothing incriminating recovered/surfaced during the course of investigation in furtherance of the confessional statement of the co-accused, who named the petitioner. While concluding the argument, it has been submitted that investigation has been completed, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP, while opposing the prayer of bail, fairly conceded that petitioner is not named in the F.I.R.

Considering the facts and circumstances as mentioned above, as nothing incriminating surfaced/recovered to connect the petitioner with present occurrence, who is not named in F.I.R. coupled with the fact that charge-sheet has been submitted, let the petitioner, above named, is directed to be



released on bail in connection with Ishipur (Barahat) P.S. Case No. 69 of 2020 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J.-V, Bhagalpur/concerned court, subject to the conditions as mentioned under Section 437 (3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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