

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27724 of 2022

Arising Out of PS. Case No.-9 Year-2013 Thana- RUPASPUR District- Patna

=====

Anil Kumar @ Panter Son of Shiv Janam Mochi Resident of Mohalla -
Amarpura, P.S. - Naubatpur, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

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

For the Opposite Party/s : Mr. Harendra Prasad, APP

=====

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 02-09-2022 Heard learned counsel appearing on behalf of the

petitioner and learned APP 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 Rupaspur
P.S. Case No. 9 of 2013 registered for the offence under Section
302 of the Indian Penal Code and Section 27 of the Arms Act.

The accused/petitioner is not named in the F.I.R. and
is in custody since 19.08.2021.

The allegation against the petitioner is to commit
murder of the father of the informant, alongwith other co-
accused persons by causing fire arm injury.

Learned counsel appearing on behalf of the petitioner



submitted that name of the petitioner surfaced on the basis of confessional statement of co-accused, namely, Sanjeet Kumar @ Chhotu, who has already been granted bail by one of the learned Co-ordinate Bench of this Court through Cr. Misc. No. 19075 of 2014 dated 23.12.2014. It is further submitted that in furtherance of the said confessional statement, nothing surfaced/recovered during the course of investigation, which may connect the petitioner, *prima facie*, with the present occurrence. While concluding the argument, it is submitted that petitioner is a man of clean antecedent and, moreover, investigation in this case is complete for which chargesheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State, while opposing the prayer of bail, fairly conceded that informant is not the eye witness of the occurrence.

In view of the facts and circumstances, as mentioned above, as nothing surfaced/recovered during the course of investigation, which may connect the petitioner, *prima facie*, with the present allegation, where informant is not the eye witness of the occurrence coupled with the fact that chargesheet has already been submitted, let the petitioner, above named, is



directed to be released on bail in connection with Rupaspur P.S. Case No. 9 of 2013 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-II, Danapur/concerned Court, subject to the conditions as laid down u/s 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

Ankit/-

U		T	
---	--	---	--

