

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38517 of 2021

Arising Out of PS. Case No.-147 Year-2020 Thana- JAMALPUR District- Munger

Golu Kumar @ Ashish Kumar S/O Mantu Tanti R/O Chhoti Daulatpur, P.O.-
Jamalpur, P.S.- Jamalpur, District- Munger

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Prashant Sinha, Advocate
For the Opposite Party/s : Mr. Akshay Lal Pandit, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 23-02-2022 Learned counsel for the petitioner undertakes to
remove all the defects pointed out by the Stamp Reporter within
four weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr.
Akshay Lal Pandit, learned APP for the State.

The petitioner in the present case is seeking regular
bail in connection with Jamalpur P.S. Case No. 147 of 2020
registered for the offences punishable under Sections 302, 201,
120B and 34 of the Indian Penal Code. He has no criminal
antecedent and has remained in custody since 21.12.2020.

Learned counsel for the petitioner submits that as per
the prosecution story, on 19.12.2020 at 07:00 P.M., the son of
the informant namely Devraj Kumar was called by Golu Kumar
(this petitioner), Ritik Kumar, Vikas Kumar and three unknown
persons from this house and the son of the informant went with



them. Thereafter on 20.12.2020 a dead body was found and when the informant went there, he saw that it is the dead body of his son. The informant alleged that the FIR named persons had called and killed his son.

Learned counsel submits that the petitioner is a student who is pursuing his studies has falsely been implicated in the present case. It is submitted that save and except the informant, no witness has come forward to say that the deceased was seen with this petitioner. The petitioner has remained in custody since 21.12.2020 having no criminal antecedent.

Learned APP for the State has opposed the prayer for regular bail of the petitioner.

Having regard to the submission that save and except the informant, no witness has come forward to say that the deceased was seen in the company of this petitioner and/or that he had any quarrel with the petitioner, no motive has been alleged against the petitioner and further this petitioner has no criminal antecedent, he has remained in custody since 21.12.2020 and being a student he has passed matriculation examination and is pursuing his studies, he also happens to be a cadet of National Cadet Corps, in these circumstances, this Court directs release of the petitioner above named on bail on



furnishing of bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Munger in connection with Jamalpur P.S. Case No. 147 of 2020, subject to the condition as laid down under Section 437(3) Cr.P.C.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take steps for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

The application stands allowed.

(Rajeev Ranjan Prasad, J)

SUSHMA2/-

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

Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

