

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38012 of 2022

Arising Out of PS. Case No.-4 Year-2022 Thana- GOPALPUR District- Bhagalpur

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Saugandh Kumar Son of Raghunandan Yadav Resident of Village -
Bhawanipur, P.s.- gopalpur (Rangra O.P.), District - Bhagalpur, District -
Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amrendra Kumar, Adv.

For the Opposite Party/s : Mr. Nirmal Kumar Sinha, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 11-10-2022 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Gopalpur (Rangra) P.S. Case No. 04 of 2022 lodged under
Section 302 read with Section 34 of the I.P.C. and 27 of the
Arms Act.

As per the prosecution case, the informant has filed
this case against unknown accused persons alleging that his
younger brother was working as Track Maintainer since last 8
years. At the night, the informant received the information from
Railway Senior Section Engineer that his brother has been killed

who was subsequently died. It has been stated that some unknown criminals has fired the informant's brother for the purpose of opening the railway gate.

Learned counsel for the petitioner submits that the present case has been lodged against unknown accused persons. He submits that petitioner is in custody since 30.02.2022, charge sheet has already been filed in this case and there is one criminal case pending against the petitioner in which he is on bail. Learned counsel further submits that his name has figured in this case by virtue of the confessional statement of co-accused, namely, Gaurav Kumar.

Learned counsel for the State opposes the prayer for bail and submits that upon arrest, the petitioner has confessed his involvement in the crime and the fired arm used in the crime has also been recovered on the disclosure of the present petitioner.

In the present facts and circumstances of this case and the submissions made above, I am not inclined to grant bail to the petitioner at present but liberty is hereby granted to the petitioner that he may renew his prayer for bail 6 months after framing of charge. Upon move, the Trial Court shall release the petitioner on bail imposing the conditions so that he may not

evade his appearance during trial.

With this observation, the bail application stands
rejected.

(Dr. Anshuman, J.)

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