

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51792 of 2021

Arising Out of PS. Case No.-628 Year-2019 Thana- RAJIVNAGAR District- Patna

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Akash Kumar S/o- Prakash Kumar R/o- Raja Bazaar (Pilar No. -50),
Chaudhary Hotal, P.S.- Shastri Nagar, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

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

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 08-02-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual court proceedings.

The petitioner seeks bail in connection with Rajiv Nagar
P.S. Case No. 628 of 2019 instituted for the offences under
Sections 341, 326, 307 and 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the
petitioner is in custody since 08.01.2021 and charge-sheet has
been submitted in the case.

Learned counsel for the petitioner submits that the
informant alleges that he has a grocery shop and on 17.12.2019 at
about 10.30 pm when he was closing the shop then three unknown
accused in the age group of 25-30 years with their faces covered
came and started threatening the informant on which the informant
tried to flee but accused fired from behind hitting the informant on
his leg.

Learned counsel for the petitioner submits that the F.I.R.



is against unknown and the name of the petitioner transpired in the confessional statement of co-accused Shahabuddin and after the arrest of the petitioner he was made to confess his crime in police custody which has no evidentiary value in the eyes of law.

Learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner and submits that the petitioner has antecedent of seven cases and the moment he is released on bail, he will abscond and the charges will not be framed and the trial will get delayed.

Considering the fact that the petitioner is in custody since 08.01.2021, charge-sheet has been submitted in the case, his name transpired in the confessional statement of co-accused and he has not been put on T.I.P. nor any recovery was made from his possession, let the petitioner above named be released on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-III, Patna in connection with Rajiv Nagar P.S. Case No. 628 of 2019 with a condition that one of the bailor shall be the father of the petitioner (Prakash Kumar) and the petitioner shall be released after framing of charges.

(Satyavrat Verma, J)

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