

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42987 of 2022

Arising Out of PS. Case No.-313 Year-2021 Thana- KASIMBAZAR District- Munger

Amardeep Kumar @ Patlu Son of Hareram Sharam Resident of village-
Shyampur, P.S- Kotwali, O.P- Basudeopur, Dist- Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Sevak Choudhary, Advocate

For the Opposite Party/s : Mr. Jai Narain Thakur, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 16-11-2022 The learned counsel for the petitioner is directed to
remove all the defects pointed out by the Stamp Reporter within
one month.

Heard learned counsel for the petitioner and the
learned APP for the State.

Petitioner seeks regular bail in connection with Kasim
Bazar P.S. Case No. 313 of 2021 registered for the offences
punishable under Sections 302, 120(B) and 34 of the Indian
Penal Code and Section 27 of the Arms Act.

As per the prosecution, the informant's sister was
married to Ravi Kumar six years ago and soon after the
marriage informant's sister was subjected to torture by her in-
laws. Meanwhile, the informant's mother was shot dead by his
Gotia and in the said incident the informant's sister also got
injured by a gun shot due to which her left hand stopped
working properly and for the same her in-laws did not like her.
Further it is alleged that as the informant's sister was an eye-



witness to the above incident and the Gotia of the informant had some relation with the informant's sister's in-laws, therefore they at any cost did not allow her to give statement in the above incident and also threatened to kill her. Later, on alleged date the informant's sister was murdered by her in-laws and Gotia of the informant.

The main submissions advanced by the learned counsel Mr. Ram Sevak Choudhary for the petitioner are that the petitioner is not named in the FIR and in the FIR the informant raised suspicion against the named accused persons but the said suspicion was not made against the petitioner and later on during the course of investigation co-accused Ravi Kumar made confessional statement before the police and revealed the role of the petitioner in the alleged crime but except this there is no material against the petitioner showing his involvement and the said statement of co-accused Ravi Kumar is not admissible. Further submission is that the petitioner has been languishing in jail since 25th March, 2022 and he has no concern with family members of the husband of the deceased and he has also not been made accused in Bariyapur P.S. Case No. 09 of 2017. Further submission is that co-accused Akash Sharma has been granted bail by a co-ordinate Bench of this



Court vide order passed in Cr. Misc. No. 17580 of 2022.

Learned APP Mr. Jai Narain Thakur appearing for the State has opposed the bail prayer.

Heard both the sides and perused the FIR. The petitioner is not named in the FIR and the informant raised suspicion against the accused persons of Bariyarpur P.S. Case No. 09 of 2017 and the petitioner's counsel has submitted that the petitioner has no concern with the accused persons of said Bariyarpur P.S. Case No. 09 of 2017 and has no relation with the husband of the deceased. Considering these facts and also the fact that co-accused Akash Kumar @ Chhotu named in the FIR has been granted bail by a co-ordinate Bench of this Court, in the opinion of this Court a lenient approach can be taken in respect of the petitioner's prayer, let the petitioner be released on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the concerned Court in connection with Kasim Bazar P.S. Case No. 313 of 2021.

(Shailendra Singh, J.)

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