

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67498 of 2021

Arising Out of PS. Case No.-56 Year-2021 Thana- PUPRI District- Sitamarhi

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Raja Kumar S/o Umashankar Ray R/o village- Sandwara, P.S.- Bajpatti,
District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Zainul Abedin, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 29-06-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Let the defect(s), if any, as pointed out by the office
be removed within four weeks from today.

In the present case, the petitioner seeks bail in
connection with Pupri P.S. Case No. 56 of 2021 registered for
the alleged offences under Sections 307, 302, 394 of the Indian
Penal Code and Sections 25(1-b)a, 26, 35 and 27 of the Arms
Act.

The prosecution case is that unknown criminals shot
at one Sanjay Prasad who later on succumbed to his injuries.
The name of the petitioner surfaced as an accused during
investigation.

The learned counsel for the petitioner submits that



there is no eye witness to the occurrence and the F.I.R. has been registered against unknown. But the petitioner has been named in this case on the basis of confessional statement of the co-accused persons. Nothing incriminating has been recovered from the possession of the petitioner. The petitioner is in custody since 10.06.2021.

Learned A.P.P. for the State has opposed the prayer for bail submitting that the petitioner and other co-accused persons looted the jeweler Sanjay Prasad and shot him dead.

Having regard to the submissions made hereinabove and considering the fact that nothing substantive to show culpability of this petitioner has come up during the investigation and further considering the period of custody, he is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Sitamarhi in connection with Pupri P.S. Case No. 56 of 2021, subject to the following conditions :

(i) The bail bond of the petitioner shall be accepted only after framing of charge, if not already framed.

(ii) One of the bailors will be a close relative of the petitioner.



(iii) The petitioner will remain present on each and every date fixed by the court below.

(iv) In case of absence for three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

ved/-

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