

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69281 of 2021

Arising Out of PS. Case No.-609 Year-2018 Thana- NAUBATPUR District- Patna

Pawan Kumar Son of Late Raghu Bansh Prasad Resident of Village - Rajapur
Manpura, P.S.- Srikrishana Puri, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailesh Kumar, Advocate
For the Opposite Party/s : Mr. Narsingh Tanti, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 15-10-2022 Heard learned counsel appearing on behalf of the
petitioner and learned APP appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with
Naubatpur P.S. Case No. 609 of 2018 registered for the offence
under Sections 365, 302 and 201 of the Indian Penal Code.

The accused/petitioner is not named in the F.I.R. and
is in custody since 30.08.2020.

The allegation against the petitioner is to commit
murder of brother of the informant, alongwith other co-accused
persons due to previous enmity.

Learned counsel appearing on behalf of the petitioner
submitted that petitioner is not named in the F.I.R., where name



of the petitioner surfaced on the basis of confessional statement of co-accused, namely, Sohray Ram, in furtherance of which nothing incriminating surfaced/recovered during the course of investigation to connect this petitioner with the present occurrence of murder. It is further pointed out that the said co-accused, namely, Sohray Ram has already been granted bail by one of the learned Co-ordinate Bench of this Court through Cr. Misc. No. 60789 of 2021 dated 06.09.2022. While concluding the argument, it is submitted that petitioner is a man of clean antecedent and, moreover, investigation in this case is complete for which chargesheet has been submitted long back, as such, there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State, while opposing the prayer of bail, fairly conceded the fact that petitioner is not named in the F.I.R.

In view of the facts and circumstances, as mentioned above, as nothing incriminating recovered/surfaced to connect this petitioner with the present occurrence of murder in furtherance of confessional statement, where petitioner is in custody since 30.08.2020 coupled with the fact that chargesheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Naubatpur



P.S. Case No. 609 of 2018 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-III, Danapur/concerned Court, subject to the conditions as laid down u/s 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

Ankit/-

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

