

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3544 of 2023

Arising Out of PS. Case No.-164 Year-2022 Thana- ALAMNAGAR District- Madhepura

Amarjeet Kumar Son Of Parmanand Mehra R/O Village- Alamnagar, Ward
No.11, P.S.- Alamnagar, District- Madhepura

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajnish Kumar Singh

For the Opposite Party/s : Mr.Chandra Bhushan Prasad

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 17-05-2023 Heard learned counsel for the petitioner,

learned counsel for the informant and learned APP for

the State.

The petitioner has filed the instant application

for grant of regular bail in a case registered for the

offences punishable under Sections 302, 201/34 of the

Indian Penal Code.

The prosecution case in nutshell is that younger

brother of the informant is alleged to have been

murdered by some unknown criminals and thrown his

dead body under the bridge.

It is submitted by learned counsel for the



petitioner that the petitioner is innocent and he has falsely been implicated in the present case. Neither the petitioner is named in F.I.R. nor he is the owner of alleged mobile number from which the deceased received the call. The name of petitioner sprang up in this case on the basis of confessional statement of co-accused Ram Nivas Kumar, before the police, which has no evidentiary value in the eye of law. From perusal of paragraph NO. 86 pf case diary, it reflects that in the CCTV footage, the petitioner has not been seen alongwith the co-accused persons. Moreover, the petitioner is languishing in judicial custody since 25.06.2022. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. Similarly situated co-accused, namely, Nitish Kumar has been granted bail vide order dated 21.04.2023, passed in CR. Misc. No. 62371 of 2022 by the co-ordinate Bench of this Court.

Learned APP appearing for the State and



learned counsel for the informant have vehemently opposed the prayer for Bail and submitted that at the instance of accused person, *Gamcha* and gloves, which were used to kill the deceased are recovered.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Alamnagar P.S. Case No. 164 of 2022 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Udakishunganj, Madhepura.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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