

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16221 of 2023

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

RAM NIWAS @ RAM NIWAS KUMAR S/O MAHENDRA MEHRA
Resident of Village- Alamnagar, Ward No.- 12, 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.Tapeshwar Sharma

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 20-07-2023 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

The petitioner has prayed for regular bail in a case
registered for the offence punishable under sections 302, 201/34
of the Indian Penal Code.

According to the FIR, the younger brother of the
informant namely, Amit Kumar Jha is alleged to have been
murdered by some unknown miscreants and thrown his dead
body under the bridge.

Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. The
petitioner is not named in the FIR rather he has falsely been
implicated in this case. The petitioner has confessed his guilt in
his self confessional statement which has got no evidentiary



value in the eye of law. It appears from so called confessional of the petitioner which is mentioned in para-39 of the case diary, the petitioner along with others killed the informant's brother by putting *gamcha* around his neck but this fact has not been corroborated by the postmortem report as the doctor opined that cause of death is occurred due to hard & blunt substance. There is no eye witness of the present occurrence. No any consistent material has come against the petitioner during course of investigation. It is also submitted that other co-accused persons of this case have already been granted bail by this Court. The petitioner has got no criminal antecedent as stated in para-3 of the petition and he is languishing in judicial custody since 25.6.2022.

Learned APP appearing for the state and learned counsel for the informant have vehemently opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Alamnagar P.S. Case No. 164 of 2022 on furnishing bail bond of Rs.10,000/- (ten



thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Udakishunganj, Madhepura.

(Sunil Kumar Panwar, J)

Amandeep/-

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

