

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16869 of 2022

Arising Out of PS. Case No.-14 Year-2021 Thana- BHANGWANPUR HAT District- Siwan

Kamlesh Ray Son Of Parshuram Ray Resident Of Village- Bhatwalia, P.S.-
Janta Bazar, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Singh
For the Opposite Party/s : Mr.Jai Narain Thakur

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 02-01-2023 Heard learned counsel for the petitioner 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 Section 302/34 of the Indian Penal Code and Section 27 of the Arms Act.

The prosecution case in nutshell is that while the son of the informant was returning to home on his motorcycle, he was shot dead by the unknown criminals and dead body was thrown in the nearby Chawar (pond).

It is submitted by learned counsel for the petitioner that the petitioner is innocent and he has falsely been



implicated in the present case. It is also submitted that petitioner is languishing in judicial custody since 1st of December, 2021. It is further submitted that petitioner is not named in FIR and his name sprang up on the confessional statement of co-accused Dipu Kumar Rai @ Dipu Rai. There is no eye witness of the occurrence and there is no material evidence connecting the petitioner with the present crime. It is further submitted that similarly situated co-accused person namely, Dipu Rai @ Dipu Kumar Rai has already been granted regular bail passed in Cr. Misc. No. 34753 of 2021 via order dated 25-04-2022, by the co-ordinate Bench of this Court.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Bhagwanpur Hat P.S. Case No. 14 of 2021 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 1st Additional Sessions Judge, Siwan.

(Sunil Kumar Panwar, J)

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