

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16962 of 2023

Arising Out of PS. Case No.-445 Year-2022 Thana- SAHPUR District- Patna

RAJESH KUMAR S/O MR. UMESH YADAV Resident of Village- Saraigadh
Bhaptiyahi, P.S.- Bhaptiyahi, District- Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun

For the Opposite Party/s : Mr.Sanjay Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 26-06-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case
instituted for the offence under Section 365 of the Indian Penal
Code and later on added Sections 302, 201, 120B and 34 of the
Indian Penal Code.

As per prosecution case, some unknown persons
killed the son of the informant.

It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. He has
committed no offence. Petitioner is not named in the FIR and
the same has been lodged against unknown persons. During
investigation, the name of the petitioner has come into light, on
the basis of confessional statement of co-accused Santosh



Kumar Soni and on his instance, the dead body of the deceased recovered. There is no consistent evidence and no eye-witness to show petitioner has involved in the alleged occurrence. Petitioner has got no criminal antecedent as stated in para-3 of the bail petition. He is languishing in judicial custody since 23.09.2022.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and considering 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 on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned J.M.-1st Class, Danapur in connection with Shahpur P.S. Case No. 445 of 2022.

(Sunil Kumar Panwar, J)

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