

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31607 of 2023

Arising Out of PS. Case No.-128 Year-2023 Thana- KAUWAKOL District- Nawada

Jitendra Kumar @ Jitendra Yadav Son Of Om Prakash Yadav Resident Of
Village- Rampur Balua, P.S. Kauakol, District- Nawada

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur, Advocate
	:	Ms. Vaishnavi Singh, Advocate
	:	Mr. Ritwik Singh, Advocate
For the Opposite Party/s	:	Mr. Rana Randhir Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 06-07-2023 Heard learned counsel appearing on behalf of the
petitioner and learned APP appearing on behalf of the State.

The petitioner seeks bail in connection with Kauakol
(Rupo) P.S. Case No.128 of 2023 registered for the offence
under Sections 302 and 201 of the Indian Penal Code.

The accused/petitioner is not named in the F.I.R. and
is in custody since 05.03.2023.

The allegation against the petitioner is to commit
murder of the father of informant alongwith other unknown co-
accused persons by causing knife injury, on the neck of
deceased as per F.I.R.

Learned counsel appearing on behalf of the petitioner
submitted that the name of petitioner has been falsely implicated



in the present case out of suspicion and self-confession of petitioner, obtained during the course of investigation, where no substantial material recovered/surfaced. It is also submitted that as investigating agency found vehicle bearing registration no. BR 27 GA 2554 in the market, as per CCTV footage having otherwise no bearing over the merit, the petitioner falsely implicated in the present case. It is further submitted that petitioner is owner of the said vehicle and its presence near about the residence of the petitioner is very obvious. While concluding the argument, it is submitted that petitioner is a man of clean antecedent and moreover, investigation of this case has been completed, for which, charge-sheet has already submitted, as such, there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State, opposes the prayer for bail.

In view of the facts and circumstances as mentioned above as save and except suspicion, where informant is not the eye-witness of the occurrence, nothing recovered/surfaced during the course of investigation, which may connect this petitioner with the present occurrence of murder coupled with the fact that charge-sheet has already submitted, where petitioner is in custody since 05.03.2023, accordingly petitioner,



above named, is directed to be released on bail in connection with Kauakol (Rupo) P.S. Case No.128 of 2023 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Nawada/concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

Presence of Investigating Officer of this case is dispensed with.

(Chandra Shekhar Jha, J.)

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