

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39077 of 2023

Arising Out of PS. Case No.-124 Year-2023 Thana- SAHPUR District- Patna

Govind Kumar Son of Late Vijendra Prasad @ Raktu Rai @ Bijendra Ray
R/o- Saguna Gandhi Murti, P.S.- Danapur, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ghanshyam Tiwary, Advocate
For the Opposite Party/s : Mr. Zainul Abedin, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 06-07-2023 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Sahpur
P.S. Case No. 124 of 2023 registered for the offence under
Sections 302/34 of the Indian Penal Code (in short 'I.P.C.') and
under Section 27 of the Arms Act.

The accused/petitioner is not named in the F.I.R. and
is in custody since 23.02.2023.

The allegation against the petitioner is to commit
murder of son of informant alongwith other unknown
co-accused persons, out of previous enmities.

Learned counsel appearing on behalf of the petitioner



submitted that petitioner is not named in F.I.R. and his name surfaced during the course of investigation on the basis of confessional statement of co-accused Suraj Kumar, where nothing incriminating appears to be recovered/surfaced as to connect this petitioner with present occurrence. It is also submitted that the mobile from which the last call was made to deceased is under use of co-accused Suraj Kumar and not even with this petitioner. While concluding the argument, it has been submitted that petitioner found involved in one more criminal case, where he is on bail and moreover, investigation of this case has been completed, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP opposes the prayer of bail.

Considering the facts and circumstances as mentioned above and by taking note of the fact as save and except confessional statement of co-accused nothing appears against this petitioner as to connect him with present occurrence, coupled with the fact that charge-sheet has already submitted, where petitioner is in custody since 23.02.2023, accordingly, above named petitioner is directed to be released on bail in connection with Shahpur P.S. Case No. 124 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, Danapur, Patna/concerned court, subject to the conditions as mentioned under Section 437 (3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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