

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43953 of 2023

Arising Out of PS. Case No.-309 Year-2022 Thana- CHENARI District- Rohtas

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KAMLESH KUMAR Son of Sri Munna Singh Resident of village -
Dharamdas, P.S. - Tarari, Distt. - Bhojpur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Binod Bihari Singh, Adv.
For the Opposite Party/s	:	Mr.Mohammad Sufyan, APP
For the informant	:	Mr. Jay Prakash Singh, Adv.

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CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

- 2 31-07-2023
1. Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.
 2. Heard learned counsel for the petitioner and learned A.P.P. for the State.
 3. The petitioner has preferred this application for grant of regular bail in connection with Chenari P.S. Case No. 309 of 2022 dated 20.10.2022 registered for the offence punishable u/s 302 read with section 34 of the Indian Penal Code.
 4. As per the prosecution case, unknown miscreants are alleged to have strangulated the informant's son to death.



5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is general and omnibus allegation against the petitioner. Nothing incriminating material has been recovered from the conscious possession of the petitioner. The petitioner is not named in the FIR. The name of the petitioner has surfaced from his self-confessional statement who has stated the modus operandi as to how the occurrence took place with the co-accused persons. There is no specific allegation against the petitioner. Learned counsel has further submitted that there is no eye witness of the place of occurrence. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 23.10.2022.

6. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

7. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Rohtas at Sasaram in connection with Chenari P.S. Case No. 309 of 2022.



8. The application stands allowed.

(Chandra Prakash Singh, J)

Ajay Singh/-

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