

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 39432 of 2023

Arising Out of PS. Case No.-64 Year-2023 Thana- BEGUSARAI TOWN District- Begusarai

SURYADEEP PATHAK @ SURYA PATHAK @ SURAJ PATHAK @ DEVA
S/O ARUN PATHAK R/O Village- Ulao, P.S. Muffasil, Dist. Begusarai

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sabal Kumar Jha

For the Opposite Party/s : Mr.Dr. Ajeet Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 01-11-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in a case registered for the offence punishable under Sections 302 and 394 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per allegation in the FIR, two unknown miscreants boarded on motorcycle came to the informant's son and shot three round of fire due to which he died and took away his motorcycle, tab and cash of Rs. 81402/-

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has been falsely implicated in this case. Neither he is named in the F.I.R. nor put on T.I.P. His name has been transpired in this case on the basis of



confessional statement of co-accused Kundan Kumar @ Nepali before the police which has no legal value in the eye of law. Nothing incriminating or looted article has been recovered from his conscious possession. Except the confessional statement of co-accused nothing has come against him during investigation which shows his complicity in this case. Petitioner is languishing in judicial custody since 13.03.2023.

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

6. 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 court of C.J.M., Begusarai in connection with Begusarai Town P.S. Case No. 64 of 2023.

(Sunil Kumar Panwar, J)

lata/-

U		T	
---	--	---	--

