

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44969 of 2023

Arising Out of PS. Case No.-40 Year-2023 Thana- RAMKRISHNANAGAR District- Patna

Rajesh Kumar @ Raja Kumar Son Of Satendra Sharma Resident Of Raja
Kuan, Ps- Bihar Sharif, Dist- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumari Jyoti

For the Opposite Party/s : Mr.Md. Fahimuddin

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 30-08-2023 Heard learned counsel for the petitioner,

informant and learned APP for the State.

The petitioner is languishing in custody in a
case registered for the offences punishable under
Sections 302/34 of the Indian Penal Code and Section
27 of the Arms Act.

It is a case of commission of murder of the son
of the informant by unknown criminals.

It is submitted by learned counsel for the
petitioner that petitioner is innocent and he has falsely
been implicated in this case. The petitioner is not named
in the F.I.R and his name subsequently sprang up on the



confessional statement of co-accused Proushotam Kumar @ Happy Kumar which has no evidentiary value in the eye of law. During investigation, no substantial material evidence has been collected against the petitioner to connect the petitioner with the present offence. The petitioner is languishing in custody since 20.01.2023. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

In contra, learned counsel appearing on behalf of the informant and learned A.P.P appearing on behalf of the State have vehemently opposed the prayer for bail of the petitioner and submitted that co-accused in his confessional statement has stated that this petitioner shot at the deceased.

Considering the facts aforesaid and the period under custody, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousands) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate,



First Class, 15, Patna in connection with Ram Krishna
Nagar P.S. Case No. 40 of 2023.

(Sunil Kumar Panwar, J)

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