

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47179 of 2023

Arising Out of PS. Case No.-22 Year-2023 Thana- RAUTA District- Purnia

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RUPESH KUMAR SON OF RANG LAL YADAV R/O-JAGDAL, P.S.-
ROUTA, DISTT.-PURNEA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raj Kumar, Adv.

For the Opposite Party/s : Mr. Ramesh Chandra, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 14-09-2023 1. Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. Petitioner, who is in custody since 07.03.2023 seeks
bail, in connection with Routa P.S. Case No.22/2023, dated
23.02.2023, for the offences punishable under Sections 363, 302/34
of the IPC.

3. According to prosecution case, the informant has
suspicion that her son namely Karan Kumar has been abducted by
some unknown persons.

4. Learned counsel for the petitioner submits that the
petitioner has clean antecedent and he has falsely been implicated in
the present case on the basis of confessional statement of the co-
accused namely Munna Kumar Yadav. He further submits that the
petitioner is not named in the F.I.R. He further submits that on the
basis of CDR location, co-accused, namely, Munna Kumar Yadav has



been apprehended and he has disclosed the name of the petitioner and thereafter self confessional statement of the petitioner was recorded in which he has confessed his guilt in the present case and except the confessional statement of the co-accused and the confessional statement of the petitioner, no other cogent material has come during investigation to suggest the involvement of the petitioner in the present occurrence. He further submits that the police after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 07.03.2023.

5. Learned Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for bail of the petitioner and submits that it has come during investigation that the petitioner was involved in the present crime in question but fairly submits that the confessional statement of co-accused namely Munna Kumar Yadav suggests that co-accused Munna Kumar Yadav has killed the deceased.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Mr. Anurag Mishra, J.M. 1st Class, Purnea, in connection with Routa P.S. Case No. 22/2023, subject to the following conditions:-

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and



shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

3. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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