

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46666 of 2023

Arising Out of PS. Case No.-40 Year-2023 Thana- PURAINI District- Madhepura

Harish Kumar, Son of Butely Choudhary @ Buteli Choudhary, Resident of
Village- Dumrail, Ward No. 04, P.S.-Puraini, District-Madhepura (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Akash Anand, Adv.

For the Opposite Party/s : Mr. Dashrath Mehta, APP.

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 28-07-2023 Heard learned counsel for the petitioner and the
learned APP for the State.

2. Petitioner seeks regular bail in connection with
Puraini P.S. Case No. 40 of 2023 dated 19.02.2023 registered
for the offence punishable under Section 302 read with 34 of the
Indian Penal Code.

3. The main submissions advanced by learned
counsel for the petitioner are that the petitioner is not named in
the FIR and during investigation his name surfaced in the
confessional statement of co-accused Manish Kumar, who is
alleged to be the main accused of this case and the petitioner is
20 years old having fair and clean antecedent and he has been
languishing in jail since 21.02.2023.

4. Learned APP appearing for the State has opposed



the bail prayer.

5. Considering the facts and circumstances of this case as well as the above submissions and mainly the facts that the petitioner is not named in the FIR and as per the order impugned, his name surfaced in the alleged crime in the confessional statement of co-accused Manish Kumar and in respect of petitioner's involvement in the alleged crime, the prosecution is mainly relying on the said confessional statement of Manish Kumar, who appears to be the main accused of this case and also taking into account the petitioner's young age and completion of the investigation against him, in my opinion it is a fit case for bail to the petitioner. Accordingly, let the petitioner named-above be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned in connection with Puraini P.S. Case No. 40 of 2023.

(Shailendra Singh, J)

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