

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68872 of 2022

Arising Out of PS. Case No.-711 Year-2021 Thana- ARA NAGAR District- Bhojpur

RAKESH KUMAR @ DHIRAJ Son of Late Sanjay Mishra R/v- Sonbarsha
P.S.- Shahpur, District- Bhojpur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Aditya Nath Pandey

For the Opposite Party/s : Mr.Ram Priya Sharan Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 21-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case
instituted for the offence under Sections 394 and 302 of the
Indian Penal Code.

As per prosecution case, two unknown persons killed
the brother of the informant, when he was returning from Buxar
to Fatuha from his car.

It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. He has
committed no offence. Petitioner is not named in the FIR. The
case has been lodged against two unknown persons. The name
of the petitioner has come into light, on the basis of confessional
statement of co-accused Bitesh Kumar @ Chhangur @ Bhola,



which has got no evidentiary value in the eyes of law. Nothing incriminating article has recovered from the conscious possession of the petitioner. Petitioner has got no criminal antecedent as stated in para-3 of the bail application. He is languishing in judicial custody since 09.10.2021.

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

Having heard learned counsel for the parties and considering the facts and circumstances of the case, 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 Chief Judicial Magistrate, Bhojpur (Ara) in connection with Ara Nagar P.S. Case No. 711 of 2021.

(Sunil Kumar Panwar, J)

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