

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11676 of 2024

Arising Out of PS. Case No.-163 Year-2023 Thana- CHERIYA BARIYARPUR District-
Begusarai

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1. Raman Kumar S/o Pinku Kumar Singh @ Pinku Kumar R/o Vill and P.O. -
Manjhaul (Purbi Tola), P.S. - Cheria Bariyarpur, Dist. - Begusarai
 2. Rajnish Kumar S/o Pinku Kumar Singh @ Pinku Kumar R/o Vill and P.O. -
Manjhaul (Purbi Tola), P.S. - Cheria Bariyarpur, Dist. - Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandan Kashyap, Advocate

For the Opposite Party/s : Mr.Rajiv Nayan, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 28-02-2024 1. Heard learned counsel for the petitioners and the
learned APP for the State.

2. Petitioners seek regular bail in connection with
Cheria Bariarpur (Manjhoul) P.S. Case No. 163 of 2023 dated
25.06.2023 registered for the offence(s) punishable under
Section(s) 302, 201, 120(B)/34 of the Indian Penal Code and
Section 27 of Arms Act.

3. The main submissions advanced by the learned
counsel for the petitioners are that the FIR has been registered
against unknown persons in which the petitioners are not named
and during investigation, the petitioners were made accused
merely on the basis of the confessional statement of one Satyam



Kumar but except this there is no material against them to connect them to the alleged crime and during investigation, the police investigated the matter on the basis of conversation which took place between Satyam Kumar and others but the petitioners were not found to have made any conversation with Satyam Kumar and in this regard, specific statement has been made in paragraph no. 10 of the petition. Further submissions are that the petitioners have been languishing in jail since 02.09.2023 and against them, the investigation has been completed and there is no direct evidence against them, in fact, as per the witnesses examined during investigation, one veteran criminal namely, Batohia was encountered by the police and the said Satyam Kumar is brother-in-law (sala) of the veteran criminal. Further submissions are that one co-accused Sonu Kumar has been granted bail by this bench vide order dated 19.02.2024 passed in Cr. Misc. No. 8374 of 2024, though against the petitioners, there are criminal antecedents of two cases but out of them they have been granted bail in one case.

4. Learned APP appearing for the State has opposed the bail prayer.

5. In the facts and circumstances of this case and considering the above submissions and mainly the facts that the



prosecution has not pointed out any cogent evidence to show the petitioners’ involvement in the alleged crime and one co-accused mentioned above is on bail and as per above submission, the petitioners’ name surfaced in the statement of co-accused Satyam Kumar, but as per statement made in paragraph no.10 of the petition, at the relevant time there was no conversation in between the said Satyam Kumar and the petitioners, in my opinion, in the said circumstances, the petitioners deserve to the privilege of bail, Accordingly, let the petitioners named-above be enlarged on bail in connection with Cheria Bariarpur (Manjhoul) P.S. Case No. 163 of 2023 on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Court concerned.

(Shailendra Singh, J)

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