

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35494 of 2024

Arising Out of PS. Case No.-2 Year-2024 Thana- CHANDI District- Bhojpur

Jay Janm Ray SON OF Late Jay Prakash Ray R/O Village Amba (Amma),
Narbirpur, Ichha bhagat ke Tola(Badwar), P.S.- Chandi, Dist Bhajpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kamlesh Prasad Yadav

For the Opposite Party/s : Mr.Syed Mojibur Rahman

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

3 21-08-2024 Heard the learned counsel for the petitioner as well
as the learned Additional Public Prosecutor for the State.

2. The petitioner is seeking regular bail in connection
with Chandi P.S. Case No. 02 of 2024 for the offences
punishable under Sections 302, 120(B) of the IPC and Section
27 Arms Act.

3. The informant, who is father of the deceased
received an information that his son had suffered fire-arm
injuries. He saw his son in injured condition in an ambulance.
Co-accused Manish Kumar, Chandan Kumar, Tillu Kumar, Om
Kumar @ Priyanshu, Shaheb and Nikil were sitting in that
ambulance. The injured was referred to Patna for better
treatment but he died in way to Patna. The informant came to
know that the friends of his son had committed his murder. It



has further been mentioned in the FIR that Jay Janm Ray (petitioner), who is a tempo driver had carried the injured to Ara in his tempo.

4. The learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. He has further submitted that the name of friends of the deceased have been mentioned in the FIR. The only allegation against the petitioner is that being a tempo driver of the same village, he brought the injured to Ara for his treatment. Except that there is nothing against the petitioner. He has also submitted that co-accused Manish Kumar in his confessional statement in paragraph no. 14 of the case diary has stated categorically that he committed murder of the deceased by firing shot. At the instance Manish Kumar, the said pistol which was used in murder, was recovered.

5. On the other hand, the learned APP for the State has submitted that in paragraph no. 16 of the case diary, the petitioner in his confessional statement has stated that at his order, co-accused Manish Kumar fired shot at the deceased to which the learned counsel for the petitioner submits that confessional statement before the police is not admissible in evidence.



6. It appears that from perusal of paragraph 14 of the case diary that co-accused Manish Kumar had committed murder of the deceased. The FIR shows that petitioner is a tempo driver and he carried the deceased in injured condition to the Ara Hospital.

7. Considering the above-mentioned facts and circumstances, let the petitioner above-named be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand rupees) with two sureties of the like amount each to the satisfaction of learned CJM, Bhojpur at Ara in connection with Chandi P.S. Case No. 02 of 2024, subject to the condition that the petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

(Nawneet Kumar Pandey, J)

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