

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41417 of 2024

Arising Out of PS. Case No.-609 Year-2023 Thana- GHORASAHAN District- East
Champaran

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Satish Kumar Son of Shambhu Prasad R/O Village - Dharhari, P.S.- Chiraya,
Dist.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shashi Bhushan Pandey, Adv.
For the Opposite Party/s : Mr.Shantanu Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 20-07-2024 Heard learned Counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending arrest in a case registered for the offences punishable in connection with Ghorasahan P.S. Case No.609 of 2023 under Sections 302, 120B and 34 of the Indian Penal Code read with Section 27 of the Arms Act.

3. As per the prosecution, the FIR has been lodged against five unknown accused persons whom there is allegation that they have killed the informant's son when the informant was returning with the entire family from mela.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He submits



that there are two confessional statement in this case. The one confessional statement is of accused, namely, Subodh Kumar in which the petitioner's name has not come and by virtue of this, recovery of arms used in the crime has also been recovered whereas the another confessional statement is of accused, namely, Sahil Kumar in which the petitioner's name has come.

5. Counsel also submits that antecedent of the petitioner is clean and the petitioner is basically working and attendant of ambulance service and on the relevant date of occurrence, he was on duty for which he has annexed as Annexure-2 in this regard.

6. Counsel further submits that case diary has been called for. Upon perusal of the case diary, it transpires that accused Subodh Kumar on his statement, the recovery of arms has been made, has not disclosed the name of the petitioner in this case and his confessional statement has been corroborated due to which recovery has been made.

7. Learned APP for the State opposes the prayer for bail and the petitioner is not named in the F.I.R., but one co-accused has made confessional statement against the petitioner.

8. In the present facts and circumstances, let the above named petitioner be released on anticipatory bail, in the event of



arrest or surrender before the learned Court below within a period of 4 weeks from today, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Sikarhana at Dhaka, East Champaran in connection with Ghorasahan P.S. Case No.609 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dr. Anshuman, J.)

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