

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41763 of 2024**

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

SAHIL KUMAR SON OF RAMPUKAR RAI @ UMESH RAI VILLGE-
NANAURA, P.S.- GHORASAHAN, DISTT.- EAST CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar, Adv.

For the Opposite Party/s : Mr.Ashok Kumar Singh, APP

**CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER**

2 20-07-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Ghorasahan P.S. Case No. 609 of 2023 lodged 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 the petitioner's name has been figured by virtue of



confessional statement of co-accused, but the recovery of arms has not been made by confessional statement of co-accused as well as self confessional statement. He submits that the bail application of co-accused, namely, Subodh Kumar has been rejected and recovery of arms has been made by his statement.

5. Counsel further submits that self confession has no value in the eye of law. He submits that the petitioner is in custody since 16.12.2023 and he has three criminal antecedent in which he is on bail in two cases and in one case, he is persuading for bail.

6. Learned counsel for the State opposes the prayer for bail and submits that the confessional statement shall be of extreme value when it become corroborated. Here in the present case, evidence of Subodh Kumar is corroborative in nature according to which it is the petitioner who has made gun shot.

7. In the present facts and circumstances of this case and the submissions made above, this Court is not inclined to grant bail to the petitioner. Therefore, the bail application of the petitioner is hereby rejected.

(Dr. Anshuman, J.)

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