

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62727 of 2024

Arising Out of PS. Case No.-391 Year-2024 Thana- GAYA MUFASIL District- Gaya

Pintu Kumar Son of Ram Sharan Sao @ Ramsharan Prasad Resident of
Village - Sudhi Tola, P.S.- Muffasil, District - Gaya (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Priya Ranjan

For the Opposite Party/s : Mr.Pawan Kumar Chaurasia

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 23-09-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Muffasil P.S. Case No. 391 of 2024 dated 09.05.2024 registered for the offences punishable u/s 302, 307/34 of the Indian Penal Code and Section 27 of the Arms Act.

3. Prosecution case in nutshell is that the informant received the information that firing was going in the locality and when the father of the informant came out from the Mosque then he received bullet injury and succumbed to the injuries during the course of treatment.

4. Learned counsel for the petitioner has submitted



that the petitioner is innocent and has falsely been implicated in this case. Neither the petitioner is named in F.I.R. nor anything incriminating has been recovered from his conscious possession. The name of petitioner sprung up in this case merely on the basis of hearsay witness and self confessional statement of the petitioner. He has confessed that the firing was done by Sagar, Pikwa, Ravi Paswan, Banda and Rocky Mali and he has paid Rs. 17,500/- to them for their escape. Confessional statement before police has no evidentiary value in the eye of law. A statement has been made in para 3 of the petition that the petitioner has one criminal antecedent. Moreover, the petitioner is languishing in judicial custody since 13.05.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Gaya in connection with Mufassil P.S. Case No. 391 of 2024 with the condition :-

(i) The petitioner is directed to remain physically present before the learned



Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

Nirajkrs/-

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