

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60218 of 2024

Arising Out of PS. Case No.-71 Year-2024 Thana- NOWKOTHI GARHPURA District-
Begusarai

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Prince Kumar @ Bhulla, Male, aged about 19 years, Son of Pankaj Sharma,
Resident of Village - Babhangama, P.S. - Nawkothi, District – Begusarai.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner	:	Mr. Rama Kant Singh, Advocate, Mrs. Swati Parmar, Advocate and Mr. Bijay Bhushan Prasad, Advocate
For the Informant	:	Mr. Anant Kumar, Advocate
For the State	:	Mr. Jitendra Kumar Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

6 17-02-2025 Heard learned counsel for the petitioner, learned counsel for the informant and learned A.P.P. for the State.

2. The petitioner seeks bail in connection with Nawkothi P.S. Case No. 71 of 2024 dated 03.05.2024 registered for the offence punishable under Section 363 of the I.P.C. Later on, Sections 302, 364, 201, 120B read with Section 34 of the I.P.C., were also added.

3. As per the prosecution case, the informant’s son went to Pahsara Chowk, when he did not return, his uncle Dilip Singh contacted him and the informant’s son responded that he would return in 10-15 minute, within half an hour, his phone was found switched-off.



4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is submitted that the petitioner is not named in the F.I.R. The name of the petitioner and the co-accused Punit Kumar has come in the present case on the basis of the confessional statement of the co-accused Gaurav Kumar @ Chunilal which has got no evidentiary value in the eye of law. Thereafter, the petitioner and the co-accused Punit Kumar were also arrested and they confessed their involvement in the alleged crime before the police. No incriminating article has been recovered from the possession of the petitioner. There is no independent witness to the alleged offence. He has no concern with the alleged offence. The deceased had inimical terms with the co-accused Gaurav Kumar @ Chunilal. The petitioner has been made accused in one criminal case after the present case. He is in custody in this case since 04.05.2024.

5. Learned A.P.P. for the State and learned counsel for the informant have vehemently opposed the bail petition of the petitioner. Learned counsel for the informant has further submitted that from perusal of the paragraph no. 21 of the case diary, it appears that in the CCTV footage, like the face and age of the petitioner and two other co-accused persons Gaurav



Kumar @ Chunilal and Punit Kumar with the deceased have been shown on the Ramauli Petrol Pump that they were going on a motorcycle. It is further submitted that in paragraph no. 25 of the case diary, it has been mentioned that the blood stained clothes of the aforesaid three persons were seized.

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 J.M. Ist Class, Begusarai in connection with Nawkothe P.S. Case No. 71 of 2024 with further 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 bonds of the petitioner are liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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