

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74538 of 2024

Arising Out of PS. Case No.-342 Year-2024 Thana- BUXAR District- Buxar

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Akash Kumar Verma @ Bundan @ Kundan Son of Sunil Kumar @ Sunil Kumar Verma Resident of Village- Amla Toli Bata ke Samaene, Ward No. 30, Main Road, Buxar (Town), District- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajiv Ranjan Kumar Pandey, Adv.

For the Opposite Party/s : Mr. Renu Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 18-01-2025 Heard learned counsel for the petitioner and learned A.P.P for the State.

2. The petitioner seeks bail in connection with Buxar (Town) P.S. Case No. 342 of 2024 dated 29.06.2024 registered for the offence punishable under Section 302/201 of the Indian Penal Code.

3. The prosecution case, in short, is that the informant has alleged that on the date of occurrence at 7:00 AM he received the information from Guddu Kumar that the dead body of his brother is lying in the ruins of Patel School. When the informant reached there, he saw the dead body of his brother lying on the ground.



4. Learned Counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. It is submitted that the petitioner is not named in the F.I.R.. Only on the basis of statement recorded under Section 161 Cr.P.C. of Santosh Gupta, who stated that both the deceased and the petitioner came to his Ice-cream Cart together and both took Ice-cream from him, the petitioner has been implicated. It is also submitted that both are the resident of same village. On perusal of the F.I.R., it appears that the informant has not raised any apprehension about the petitioner's involvement in this case. It is submitted that in statement recorded under Section 161 Cr.P.C., witness Vikash Kr. Verma and Vivek Verma have stated that they saw the deceased and the petitioner going on an Auto Rickshaw day prior to the date of occurrence. It is submitted that there is no eye witness to the occurrence and there is no specific allegation against the petitioner that the petitioner has not assaulted or murdered the deceased. It is further submitted that no incriminating article has been recovered showing the complicity of the petitioner. Lastly, it has been submitted that the petitioner is in custody since



24.07.2024, having no criminal antecedent and charge-sheet has been submitted in the case.

5. Learned A.P.P for the State opposes the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Buxar in connection with Buxar (Town) P.S. Case No. 342 of 2024.

(Khatim Reza, J)

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