

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89511 of 2024

Arising Out of PS. Case No.-597 Year-2023 Thana- NAUBATPUR District- Patna

Golu Kumar @ Satyam Kumar @ Sayam Kumar S/o Amarjeet Paswan
Resident Of Vill - Khaspur, Ps- Maner, Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shraddhanand Paswan, Adv.

For the Opposite Party/s : Ms. Suman Kumari Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 22-01-2025 Heard the parties.

2. The petitioner seeks bail in connection with Naubatpur P.S. Case No. 597 of 2023 registered for the offence under Section 364 read with 34 of the Indian Penal Code.

3. The accused/petitioner is not named in the F.I.R. and is in custody since 20.09.2023.

4. The allegation against the petitioner is to commit the murder of father of the informant alongwith other known/unknown co-accused persons, where occurrence is alleged to be arising out of family property dispute.



5. Learned Counsel appearing on behalf of the petitioner submitted that the petitioner implicated falsely with present case out of suspicion only, as his name transpired on the basis of confessional statement of co-accused Dharmendra Kumar during investigation, where in furtherance of which, no incriminating material recovered/surfaced, as to connect petitioner *prima facie* with present occurrence of murder. It is further submitted that the *postmortem* report of deceased suggest no knife injuries, where cause of death was ascertained as cardio respiratory failure due to drowning, making the entire self inculpatory statement of co-accused Dharmendra Kumar doubtful, on the basis of which the implication of this petitioner was made with present case. While concluding the argument, it is submitted that the petitioner is a man of clean antecedent and moreover, investigation of this case is already completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

6. Learned APP, opposes the prayer of bail.



7. Considering the aforesaid facts and circumstances as save and except suspicion arising out of confessional statement of co-accused, nothing incriminating appears during investigation, as to connect petitioner *prima facie* with the present occurrence of murder, coupled with the fact that investigation of this case is already completed, where petitioner is in custody since 20.09.2023, accordingly, petitioner above named, is directed to be released on bail in connection with Naubatpur P.S. Case No. 597 of 2023 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-VI, Danapur/concerned Court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C. /Section 480(3) of BNSS.

(Chandra Shekhar Jha, J)

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