

IN THE HIGH COURT OF JHARKHAND AT RANCHI
B.A. No. 8095 of 2022

Bittu Kumar Petitioner
Versus
The State of Jharkhand Opp. Party

CORAM : HON'BLE MR. JUSTICE SUBHASH CHAND

For the Petitioner : Mr. Awinash Kumar, Advocate
For the State : Mr. Vishwanath Roy, A.P.P.

03/ 29.09.2022 Heard learned counsel for the applicant and learned A.P.P. for the State.

This bail application has been filed on behalf of the applicant–Bittu Kumar with prayer to release on bail in connection with Chas (M) P.S. Case No. 05 of 2022, registered under Sections 302/201/34 of the Indian Penal Code, pending in the court of the Judicial Magistrate, 1st Class, Bokaro.

Learned counsel for the applicant has submitted that the F.I.R. of this case was lodged against named accused Govind Bauri and unknown persons with these allegations that on 09.01.2022 at 11:30 of night husband of the informant was taking food. At the same time, he received phone call of his friend Govind Bauri from mobile No. 6201735214 and he immediately left the house and did not come back. On the next day 10.01.2022 informant came to know that dead-body of her husband was lying in pool of blood nearby Hari Mandir and the informant reached there and found dead-body of her husband. With the utter belief that it was Govind Bauri along with his associates had committed the murder of her husband, this F.I.R. was lodged.

Learned Counsel for the applicant has submitted that name of the applicant does not figure in the F.I.R. During investigation his name transpired in confessional statement of named accused Govind Bauri and there is no other evidence against the applicant except the confessional statement of co-accused and also the self-confession of the applicant which is not admissible. Moreover, Pintu Gorai @ Sunil Gorai @ Pintu on whose confessional statement and pointing out the weapon used in the murder was recovered has been granted bail in B.A.No. 7203 of 2022 vide order dated 12.07.2022 by this Court and the applicant has been languishing in Jail since 11.01.2022.

Learned A.P.P. appearing on behalf of the State vehemently opposed the contentions made by the learned counsel for the applicant.

In view of the submissions made and materials on record, the bail application of the applicant is hereby allowed. Let the applicant be released on bail on furnishing bail bond of Rs. 30,000/-(Rupees Thirty Thousand) with two sureties of the like amount to the satisfaction of the court concerned in aforesaid case.

(Subhash Chand, J.)