

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36174 of 2019

Arising Out of PS. Case No.-849 Year-2018 Thana- SHASTRINAGAR District- Patna

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AVINASH KUMAR @ RANJIT S/o Suresh Prasad R/o Village- Brahampur,
P.S.- Ramkrishna Nagar, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dhirendra Kumar Sinha

For the Opposite Party/s : Mr.Mithlesh Kumar Khare

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 18-09-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in connection with
S. Tr. No. 381 of 2019 arising out of Shastri Nagar P.S. Case
No. 849 of 2018 registered for the offence punishable under
sections 302 and 120 B of the Indian Penal Code and section 27
of the Arms Act.

As per allegation in the FIR, the brother of the
informant, who was Advocate in the Patna High Court, was shot
dead.

The name of the petitioner transpired in course of
investigation on confession of co-accused Laxman Kumar in
paragraph 66 and confession of Praduman Kumar in paragraph
67 of the case diary. It is alleged that the petitioner was involved



in the criminal conspiracy to shoot the deceased.

It is submitted by learned counsel for the petitioner that except the confession of co-accused before the police, there is no other material against the petitioner, who has been falsely implicated in this case. There is no recovery of any incriminating article and the petitioner is in custody since 18.12.2018. It is further submitted that case of the petitioner stands on better footing than the co-accused, who has been enlarged on bail vide order dated 13.05.2019 passed in Cr. Misc. No. 13765 of 2019, which has been brought on record as Annexure-2 to the application.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the fact that petitioner is in custody since 18.12.2018, grant of bail to the co-accused and the material that has transpired in course of investigation, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge XVI, Patna in connection with S. Tr.



No. 381 of 2019 arising out of Shastri Nagar P.S. Case No. 849
of 2018.

(Partha Sarthy, J)

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