

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30448 of 2021

Arising Out of PS. Case No.-93 Year-2020 Thana- BARIYARPUR District- Munger

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JITU KUMAR Son of Ajay Mandal @ Ajay Kumar Resident of Village /Mohalla - Kanhaiyachak (Kanhichak), Police station - Shambhuganj, District - Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjiv Kumar Singh
For the Opposite Party/s : Mr. Khurshid Anwar, APP

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 07-12-2021 Heard Mr. Sanjiv Kumar Singh, learned counsel for the petitioner and Mr. Khurshid Anwar, learned counsel appearing for the State.

Petitioner seeks regular bail in connection with Bariyarpur P.S. Case No. 93 of 2020 registered for the offence under Section 302 , 379, 34 of the I.P.C.

The allegation as per the First Information Report is that the son of the informant had gone to his sister's house and while returning on his motorcycle the F.I.R. named accused persons including the petitioner administered poison to the son of the informant and also took away his belongings. Due to poison administered to the son of the informant he died during the course of treatment.

Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case on the basis of suspicion along with other accused persons and the allegation against all the accused persons are general and omnibus in



nature. He further submits that the co-accused / Rakesh Sah (in Cr. Misc. 37514 of 2021), Chintu Kumar & Pradeep Mandal (in Cr. Misc. No. 27555 of 2021) and Lakhi Kumar (in Cr. Misc. No. 23135 of 2021) have been granted bail by different co-ordinate Benches of this Court. Learned counsel next submits that petitioner is in custody since 24-11-2020 and charge sheet has already been submitted in this matter.

Regard being had to the submissions made by the parties and taking into consideration the materials available on record and the fact that similarly situated accused persons have been granted bail by different Co-ordinate Benches of this court, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bond of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate- 2nd, Munger in connection with Bariyarpur P.S. Case No. 93 of 2020 on the following conditions:-

(a) both the bailors shall be resident of territorial jurisdiction of the learned court below.

(b) the petitioner shall fully co-operate with the trial of the case, failing which, the court below shall



be at liberty to cancel the bail bond of the petitioner.

(c) the petitioner shall not leave the country without permission of the trial court.

(Anil Kumar Sinha, J)

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