

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26748 of 2020

Arising Out of PS. Case No.-57 Year-2019 Thana- BAGHA District- West Champaran

Suman Kumar Son of Harichand Chaudhari Resident of Village - Bagahi,
Nimia Tola, P.S.- Bairia, District - West Champaran

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Suresh Prasad Sharma, Adv.

For the Opposite Party/s : Dr. Kumar Uday Pratap

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 10-03-2021 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner has renewed his prayer for bail in connection with Bagaha P.S. Case No. 57 of 2019 registered for the offences punishable under Sections 364 and 302 read with 34 of the Indian Penal Code. His application for bail was earlier rejected by this Court vide order dated 17.03.2020 passed in Cr. Misc. No. 83667 of 2019.

It is submitted by the learned counsel for the petitioner that the petitioner is in custody since 31.07.2019. His name transpired during investigation in confessional statement of co-accused Bablu Kumar. Co-accused Bablu Kumar has already been granted bail by a co-ordinate Bench of this Court vide order dated 17.03.2020 passed in Cr. Misc. No. 78988 of



2019. It is further contended that though the petitioner is in custody since 31.07.2019, there is no development in the prosecution case after framing of charge.

Learned counsel for the State opposed the application for grant of bail to the petitioner. However, he does not dispute the fact that co-accused Bablu Kumar has been granted bail.

Considering that co-accused Bablu Kumar, on whose confessional statement, name of the petitioner transpired during investigation has already been granted bail and the period undergone by him in custody as also the delay in examination of the witnesses during trial, he is directed to be released on bail, on furnishing bail bond of Rs.10,000/-(Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of A.C.J.M. 1st, Bagaha, West Champaran in connection with Bagaha P.S. Case No. 57 of 2019.

(Ashwani Kumar Singh, J)

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