

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27766 of 2020

Arising Out of PS. Case No.-77 Year-2019 Thana- SALIMPUR District- Patna

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ANKIT KUMAR @ BHOMHA @ BHOMA S/o Brahamdev Prasad Resident
of Village-Bhaisani Tola, (Begampur), P.S.-Malsalami, District-Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Binod Murari Mishra

For the Opposite Party/s : Mr. Ram Priya Sharan Singh

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

5 01-03-2021 Heard Mr. Binod Murari Mishra, learned counsel for

the petitioner and Mr. Ram Priya Sharan Singh, learned counsel

appearing for the State.

Petitioner seeks regular bail in connection with
Salimpur P.S. Case No. 77 of 2019 registered for the offence
under Section 302, 394, 34 of the I.P.C. and Section 27 of the
Arms Act.

The allegation as per the First Information Report is
that the son of the informant was intercepted by 04 accused
persons while he was returning after attending a marriage
ceremony on the Highway and was killed by the miscreants
while attempting to commit robbery.

Learned counsel for the petitioner submits that
petitioner has not committed any offence in the manner alleged



and he has falsely been implicated in this case on the basis of the confessional statement of the co-accused / Rahul Kumar and Manish Kumar and the confessional statement of the petitioner made in Salimpur P.S. Case No. 90 of 2019. Learned counsel next submits that the confessional statement of the co-accused persons reveals that it was the co-accused / Nikhil Kumar who had fired upon the deceased. Learned counsel next submits that similarly situated co-accused / Manish Kumar has been granted bail by a Co-ordinate Bench of this Court in Cr. Misc. No. 20354 of 2020. Learned counsel also submits that after arrest of the petitioner in Salimpur P.S. Case No. 90 of 2019 he has been remanded in other cases in which he is on bail. Learned counsel next submits that the petitioner is in custody since 12.12.2019.

Having regard to the submissions made by learned counsel for the parties and taking into consideration the materials available on record, the fact that similarly situated co-accused has been granted bail by this Court and the petitioner is in custody since 12.12.2019, 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. 10,000/- (ten thousand) with two sureties of the like amount each to the



satisfaction of Sri K.P. Arya, learned Judicial Magistrate 1st
Class, Barh, District – Patna / court concerned in connection
with Salimpur P.S. Case No. 77 of 2019.

It is made clear that at the time of furnishing bail bond
all the parties shall follow the guidelines regarding social
distancing.

(Anil Kumar Sinha, J)

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