

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28570 of 2020

Arising Out of PS. Case No.-267 Year-2019 Thana- SARAI District- Vaishali

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BIRU BHAGAT Son of Mahendra Bhagat Resident of Village- Chak
Majahid, P.S.- Mahua, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhishek Kumar,
Mr. Umesh Chandra Verma, Advocates.
For the Opposite Party/s : Mr. Panchanand Pandit, APP

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 18-01-2021 Heard Mr. Abhishek Kumar, learned counsel for the

petitioner and Mr. Panchanand Pandit, Additional Public

Prosecutor for the State.

2. Petitioner seeks regular bail in connection with

Sarai PS Case No. 267/2019 registered for the offence

punishable under Sections 302/34 of the IPC.

3. The allegation, as per First Information Report, is

that the brother of the informant namely, Ravindra Singh has

been shot dead by five unknown miscreants in front of the hotel

of Bhola Singh where he was working as a guard.

4. Learned counsel for the petitioner submits that the

petitioner has not committed any offence in the manner alleged

and his name has transpired in this case on the basis of a



confessional statement made by co-accused, Ranjit Kumar. Learned counsel for the petitioner further submits that co-accused persons, namely, Deepak @ Amar Kumar and Abhishek Kumar @ Bojha have been granted bail by this Court in Cr. Misc. Nos. 72314/2019 and 25008/2020 respectively.

5. Learned counsel further submits that petitioner is in custody since 13.08.2019.

6. On the other hand, learned counsel for the State submits that petitioner has got criminal antecedents and his name has been disclosed by the co-accused, Ranjit Kumar in his confessional statement and the confessional statement of the petitioner was also recorded. It is next submitted that from perusal of para-3 of the present petition, it would be evident that petitioner has been made accused in three cases whereas five cases have been lodged against him.

7. Learned counsel for the petitioner submit that in two cases petitioner has subsequently been remanded during course of his custody.

8. Having regard to the submissions made by the parties and taking into consideration the material on record and the fact that petitioner is in custody since 13.08.2019 and similarly situated accused persons have been granted bail by this Court, I



am inclined to grant regular bail to the petitioner.

9. Accordingly, let the petitioner, BIRU BHAGAT be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned 13th Additional Chief Judicial Magistrate, Vaishali at Hajipur in connection with Sarai PS Case No. 267/2019.

10. It goes without saying that at the time of furnishing bail bonds all the parties shall follow the guidelines of social distancing.

(Anil Kumar Sinha, J)

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