

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40264 of 2021

Arising Out of PS. Case No.-10 Year-2020 Thana- RANIYATALAB District- Patna

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DIBYANSHU KUMAR @ DIBYANSHU KUMAR SHARMA @ ANSHU
Son of Krishnadhar Sharma Resident of Kaab, P.S. - Ranitalab, District -
Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Samrendra Kumar Jha

For the Opposite Party/s : Mr.Tarun Prasad Mandal

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 07-10-2021 Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in a case registered for
the offence punishable under Section 302/34 of the Indian Penal
Code.

As per the prosecution case, the informant's youngest
son, Sudhir Kumar, did not return in the night. The informant
rang his son, but his son did not respond. During the course of
search dead body of his son was found in the field of Mritunjay
Kumar @ Bajrang Singh. The informant suspects that his son
has been killed by some unknown miscreants due to dispute
over sand.

Learned counsel appearing for the petitioner submits
that petitioner is not named in the FIR. The name of petitioner



has surfaced in this case during the course of investigation at a belated stage in the statement of uncle of the deceased, who suspected that this petitioner along with co-accused, Bablu Kumar, Deepak Kumar and Ravi Kumar might have committed the murder of his nephew. It is submitted that similarly situated accused Deepak Kumar and Bablu Kumar have already been granted bail by a co-ordinate Bench of this court vide order dated 22.12.2020 passed in Cr. Misc. No. 34557/2020. It is stated in paragraph 3 of the petition that though this petitioner is accused in six other criminal cases but he is on bail in all those case. Petitioner is in custody since 06.02.2021 and investigation in this case is complete.

Learned counsel appearing for the State opposes the prayer for bail and submits that petitioner has got criminal antecedent.

Considering the facts of the case and the period of custody of the petitioner, let the petitioner, above named, 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 Additional Sessions Judge-I, Danapur, Patna in connection with Ranitalab PS case No. 10/2020 on the following conditions:-



(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/ her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case the prosecution will be at liberty to move for cancellation of bail.

(Prabhat Kumar Singh, J)

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