

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35336 of 2020

Arising Out of PS. Case No.-597 Year-2018 Thana- KATIHAR District- Katihar

MANGAL KUMAR SINGH, aged about 21 years, Gender-Male, Son of Subhash Kumar Singh Resident of Mohalla - Sant Colony, P.S.- Sadar, District - Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhola Prasad

For the Opposite Party/s : Mr.Anuj Kumar Srivastava,APP

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

3 19-02-2021 Heard learned counsel for the parties.

This application for grant of regular bail arises out of Sessions Trial No. 457 of 2018 arising out of Town (Sahayak) P.S. Case No. 597 of 2018, disclosing offences punishable under Section 302/34 of the Indian Penal Code.

It is alleged in the First Information Report that two unknown miscreants were attempting to snatch mobile phone of the deceased at gun point. When their attempt was resisted, one of them shot the deceased dead. Two persons including the petitioner were subsequently arrested during the course of investigation on 27.08.2018. Co-Accused Akash Kumar Singh is said to have confessed before the police his direct involvement in commission of the offence as is evident from the



case diary.

Learned counsel appearing on behalf of the petitioner has relied on an order of this Court dated 28.05.2019 passed in Cr. Misc. No. 14400 of 2019, whereby co-accused Akash Kumar Singh has been allowed regular bail.

On careful examination of the accusation made in the First Information Report and the materials collected in course of investigation, as available in the case diary, it cannot be said that the petitioner's case is distinguishable from the case of Akash Kumar Singh, for the purpose of taking a different view than the one taken in the case of said Akash Kumar Singh.

Considering the above submission, this application is allowed.

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 the learned Additional Sessions Judge-III, Katihar in Sessions Trial No. 457 of 2018 arising out of Town (Sahayak) P.S. Case No. 597 of 2018.

(Chakradhari Sharan Singh, J)

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