

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6055 of 2021

Arising Out of PS. Case No.-124 Year-2020 Thana- VISHNUPAD District- Gaya

SAHIL KUMAR Son of Dharmendra Singh, Resident of Mohalla- Brahmani
Ghat, Upper Gali, Police Station- Vihsnupad, Distt- Gaya.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Syed Asgher Najmi, Adv.

For the Opposite Party/s : Md.Anbzarul Haque Sahara, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 12-08-2021 Heard learned counsel for the petitioner and learned
APP for the State through virtual Court proceedings.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 302/120(B) of the Indian
Penal Code and 27 of the Arms Act

Prosecution case, in brief, is that on 04.08.2020 co-
accused Chandan Kumar and Vishnu Kumar went to the
informant's house and informed him about the murder of his
brother in River Falgu. They went there and saw the dead body
of the deceased. Further alleged that when informant asked to
the said co-accused about the incident, he did not reply properly.
But on enquiry he got the information that on the date of
incident petitioner and other three named accused persons,
called deceased from the house and took him with them for



celebrating a party near the bank of river. Informant has strong believe that petitioner, alongwith other named accused persons murdered his brother by hatching a conspiracy.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that there is general and omnibus allegation against the petitioner and there is specific overt act against co-accused, namely Mukesh Kuamr Sharma who fired upon the deceased. The petitioner is languishing in judicial custody since 05.08.2020. The petitioner has got no criminal antecedent which is mentioned in para 3 of the bail petition. The similarly situated co-accused has been granted bail by a co-ordinate Bench of this Court vide order dated 30.06.2021 passed in Cr. Misc. No.668/2021.

Learned APP for the State vehemently opposed the prayer for bail of the petitioner.

Considering the facts that there is general and omnibus allegation against the petitioner and similarly situated co-accused has been granted bail, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees twenty five thousand) with two sureties of the like amount each in connection with Vishnupad P.S. Case No.



124/2020 to the satisfaction of learned Court below where the
case is pending/ successor Court.

(Anjani Kumar Sharan, J)

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