

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5861 of 2021

Arising Out of PS. Case No.-23 Year-2018 Thana- RAMKRISHNANAGAR District- Patna

Indrajeet Kumar aged about 19 years, Son Of Anil Sao R/O Mohalla- Shiv
Nagar, Khemnichak, P.S.- Ramkrishna Nagar, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Krishnakant Upadhyay
For the Opposite Party/s : Mr. Yogendra Kumar APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

4 02-07-2021 In view of the sudden resurgence of Covid-19 infection, there is limited functioning of the High Court and, therefore, the matter has been listed today for consideration through virtual mode.

2. Heard learned counsel for the petitioner and learned counsel for the State.

3. Learned counsel for the petitioner is expected to honour his undertaking given in the instant case for depositing the requisite court fee and to remove the defects as pointed out by office when called upon to do so by the office.

4. The petitioner seeks bail in Ram Krishna Nagar P.S. Case No. 23 of 2018, instituted for the offence under Section 302/34 of the Indian Penal Code and Section 27 of the Arms Act.

5. Along with other accused persons, the petitioner has come to the Mohalla of the informant and fired upon the brother



of the informant. He was declared dead when he was taken to hospital for treatment.

6. The learned counsel for the petitioner submits that he has no criminal antecedents. The petitioner's implication is false. There is general and omnibus allegation of firing against all the accused persons and the petitioner has been in custody now since 29.01.2018. It is submitted that several other co-accused persons have been allowed bail and the petitioner's case is similarly situated as them. In this regard, a supplementary affidavit has been filed, wherein, photo copy of the orders passed in Cr. Misc. Nos. 38018 of 2018, 40245 of 2018, 46646 of 2018, 53978 of 2018, have been annexed whereby, similarly situated co-accused persons, namely, Uttam Kumar, Vickey Kumar @ Vikky Kumar @ Ajay Kumar, Bittu Kumar and Ravi Kumar respectively have been granted bail.

7. The learned APP representing the State has opposed the prayer for bail.

8. Considering the rival submissions, 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 **ACJM-13, Patna** in connection with **Ram Krishna Nagar P.S. Case No. 23 of 2018**, subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail



bond will be liable to be cancelled

(Madhuresh Prasad, J)

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