

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16422 of 2021**

Arising Out of PS. Case No.-275 Year-2019 Thana- RUNISAIDPUR District- Sitamarhi

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DIPAK KUMAR @ LAKHAN @ LAKHAN KUMAR SON OF SRI
ASHOK PRASAD RESIDENT OF VILLAGE-BASBARIA, P.S-
MEHSOUL(O.P) DISTT- SITAMARHI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sunil Prasad Singh

For the Opposite Party/s : Mr.Bhanu Pratap Singh (APP)

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN
SINGH**

ORAL ORDER

3 28-07-2021 This matter has been taken up for hearing online
because of COVID-19 pandemic restrictions.

Heard learned counsel for the petitioner and learned
Additional Public Prosecutor appearing on behalf of the State.

This application for grant of regular bail arises out of
Runnisaaidpur P.S. Case No. 275 of 2019 registered for the
offence punishable under Section 392 of the Indian Penal Code.

The petitioner's prayer for regular bail was earlier
rejected by this Court by an order dated 30.06.2020 passed in
Cr. Misc. No. 16130 of 2020, keeping in view the gravity of the
allegation and the petitioner's long criminal antecedent.

A new ground has been taken in the present
proceeding renewing prayer for bail by filing a supplementary



affidavit to the effect that the petitioner has been found to be suffering from H.I.V.. Certain documents in support thereof have also been brought on record.

Learned counsel for the petitioner has also drawn my attention to an order of this Court dated 08.12.2020 passed in Cr. Misc. No. 32465 of 2020 whereby a co-accused Chanchal Kumar has been allowed regular bail by this Court.

Considering the circumstance that similarly situated co-accused has been allowed regular bail by this Court and a plea has been taken on behalf of the petitioner that he is suffering from H.I.V., 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 Chief Judicial Magistrate, Sitamarhi in Runnisaidpur P.S. Case No. 275 of 2019.

(Chakradhari Sharan Singh, J)

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