

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13474 of 2022

Arising Out of PS. Case No.-103 Year-2019 Thana- DHANARUA District- Patna

Shiv Mangal Kumar S/O Kameshwar Shah R/O Village- Shahpur, P.S.-
Vikram, District- Patna

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Masoom Alam, Advocate

For the Opposite Party/s : Mr. Amit Kumar Rakesh, A.P.P

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

5 28-09-2022 Heard learned counsel for the petitioner and learned A.P.P
for the State.

Let the defect (s), as pointed out by the office, be
removed within a period of four weeks from today.

The petitioner seeks bail in connection with a case
registered for the offences punishable under Section 302/34 of
the Indian Penal Code.

As per the prosecution case, it is stated by the informant
that he saw the petitioner, namely, Shiv Mangal Kumar
assaulted with hammer on the head of the informant's brother,
due to which he died.

Learned Counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this



case. It is submitted that the charge has been framed in this case against the accused person but none of the witness has been produced in the Court and the trial is pending since, 2019. It is further submitted that another co-accused, namely, Rinki Devi has been granted bail by a Co-ordinate Bench of this Court *vide* order dated 23.03.2022 passed in Criminal Miscellaneous No. 48356 of 2021. Further, it is submitted that the petitioner is in custody since 13.03.2019, charge-sheet has been submitted in the case and has clean antecedent.

Learned A.P.P for the State opposes the prayer for regular bail of the petitioner.

Considering the facts and circumstances of this case, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) only with two sureties of the like amount each to the satisfaction of the learned Addl. Sessions Judge IX, Patna in connection with Dhanarua P.S. Case No. 103 of 2019.

(Khatim Reza, J)

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