

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39441 of 2021

Arising Out of PS. Case No.-366 Year-2015 Thana- BIHTA District- Patna

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LADDU KUMAR Son of Shri Subhash Chaudhary Resident of Village-
Katesar, P.S.- Bihta, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shankar Kumar, Advocate

For the Opposite Party/s : Mr. Uday Pratap Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 24-01-2022 Heard Mr. Shankar Kumar, learned counsel for the

petitioner and Mr. Uday Pratap Singh, learned Additional Public

Prosecutor appearing for the State through video conferencing.

Petitioner seeks regular bail in connection with
Sessions Trial No. 387 of 2021 arising out of Bihta P.S. Case
No. 366 of 2015 registered for the offences punishable under
Sections 302 and 201/34 of the Indian Penal Code 1860.

The allegation in nutshell is that brother of the
informant had gone to sleep with his cousin brother, namely,
Pradeep Kumar and in the morning the dead body of the brother
of the informant was found hanging from a tree. It has further
been alleged that Pradeep Kumar with whom the brother of the
informant was sleeping, informed that the petitioner along with
other accused persons took away his brother and killed him, due



to previous enmity, and the petitioner had a quarrel with the deceased and he had threatened him with a dire consequence.

Learned counsel for the petitioner submits that the informant is not an eye witness and the petitioner has been implicated in this case merely on the basis of suspicion and except this, no material is against the petitioner to connect him in the present offence. Learned counsel further submits that two similarly situated co-accused persons have been granted bail by a co-ordinate Bench of this Court in Cr. Misc. 43741 of 2018 and 34575 of 2021. The petitioner is in custody since 8.1.2020.

Regards being had to the submission made by the parties and taking into consideration the materials on record, the fact that similarly situated co-accused persons have been granted bail by co-ordinate Benches of this Court and the petitioner is in custody since 8.1.2020, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-I, Danapur, Distt. Patna, in connection with Sessions Trial No. 387 of 2021 arising out of Bihta P.S. Case No. 366 of 2015 subject to the



condition that the petitioner will be well represented on each date in the trial and if he fails to do so on two consecutive dates, his bail bonds will be liable to be cancelled.

It is made clear that at the time of furnishing bail bonds all the parties shall follow the guidelines regarding social distancing.

(Anil Kumar Sinha, J)

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