

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40987 of 2021

Arising Out of PS. Case No.-22 Year-2020 Thana- NALANDA District- Nalanda

PRINCE KUMAR @ BITTU S/O Sri Mohan Singh @ Uday Singh Resident
of Village - Surajpur, Police Station and District - Nalanda.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Umesh Prasad Singh, Sr. Adv. Mr. Rakesh Kumar, Adv. Mr. Kumar Saurav, Adv. Mr. Vaibhava Veer Shanker, Adv. Mr. Abhimanyu Vatsa, Adv.
For the Respondents	:	Mr. Bhola Kumar, Adv.
For the State	:	Mr. Umesh Lal Verma, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 03-01-2022 Heard the learned counsel for the petitioner
and the learned APP for the State.

The petitioner seeks regular bail in connection with Nalanda P.S. Case No. 22/2020, registered for the offence punishable under Sections 341, 323, 504, 506, 307, 34 and 302 of the Indian Penal Code.

Four accused persons are alleged to have assaulted Raushan Kumar and one Anant Singh by means of lathi and sticks leading to death of the said Raushan Kumar.

The learned Senior Counsel for the petitioner



has submitted that the petitioner is innocent, he has been falsely implicated in the present case, he is having a clean antecedent and he is languishing in custody since 20.2.2021. The learned Senior Counsel for the petitioner has further submitted that a general and omnibus allegation has been levelled against all the accused persons of assaulting the deceased and one other person, however, as far as the petitioner is concerned, no specific allegation of him having engaged in any sort of overt act has been levelled. It is further submitted that similarly situated co-accused person has already been granted bail by a coordinate Bench of this Court vide order dated 16.4.2021 passed in Criminal Miscellaneous No. 39122 of 2020.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned Sr. counsel for the petitioner and taking into account the materials



available on record as also considering the parity of the case of the petitioner with that of the co-accused person, who has already been granted by a coordinate Bench of this Court, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Bihar Sharif in connection with Nalanda P.S. Case No. 22/2020.

(Mohit Kumar Shah, J)

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