

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30145 of 2022

Arising Out of PS. Case No.-144 Year-2020 Thana- TELHARA District- Nalanda

Navlesh Kumar Son Of Ram Swarup Mahto, Resident Of Village - Telhara,
Koriyari Tola, Police Stationj- Telhara, District - Nalanda.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh, Advocate

For the Opposite Party/s : Mr. Mithlesh Kumar Khare, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

5 07-12-2022 Let the defect, if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Telhara P.S. Case No. 144 of 2020 lodged under Sections 302
and 201/34 of the I.P.C.

As per prosecution case, the allegation of killing the
son of informant has been made against the petitioner along
with 2 other persons.

Learned counsel for the petitioner submits that from
the content of F.I.R., it transpires that there is no eye-witness of
the said offence and name of the petitioner has come by virtue

of suspicion only. Counsel further submits that the case diary has been called for and except suspicion, there is nothing present in the entire case diary. He further submits that antecedent of the petitioner is clean, he is in custody since 05.04.2022 and charge sheet has already been filed in this case. He further submits that one other co-accused has already been granted bail by the Co-ordinate Bench of this Court vide order dated 27.07.2021 passed in Cr. Misc. No. 16811 of 2021.

Learned counsel for the State vehemently opposes the prayer for bail and submits that it has come in the investigation that there was a relation between deceased with the petitioner's wife and only due to this reason, this event has taken place, except this suspicion there is no other material available in case diary.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Hilsa, Nalanda in connection with Telhara P.S. Case No. 144 of 2020, subject to the conditions as laid down under Section 437(3) of Cr.P.C..

With this observation, the bail application stands
allowed.

(Dr. Anshuman, J.)

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