

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.44988 of 2021**

Arising Out of PS. Case No.-17 Year-2020 Thana- BATH District- Bhagalpur

VINAY KUMAR @ VINAY KUMAR SINGH @ BINAY KUMAR Son of  
Late maheshwari Singh Resident of Village - English Khanpur, P.s.-Bath,  
Dist.- Bhagalpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Vasant Vikas, Adv.

For the Opposite Party/s : Mr. Aditya Narayan Singh no.1, APP

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY**  
**ORAL ORDER**

2      28-01-2022                      Heard learned counsel for the parties through video conferencing.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 302, 201 and 34 of the Indian Penal Code and section 27 of the Arms Act.

As per the prosecution case, the husband of the informant proceeded to the agricultural field along with two boys namely, Ankit Kumar @ Niraj and Gaurav Kumar. On his not returning home the search started and his dead body was found on the next day. The informant states that she suspects the hand of the accused Taplu, Avinash and Ankit Kumr @ Niraj in the murder of her husband.

It is submitted by learned counsel for the petitioner that the petitioner is not named in the F.I.R., He has been falsely



implicated in the case in course of investigation when his name allegedly transpired in the confessional statement of coaccused Gaurav Kumar and Ankit Kumar @ Niraj made before the police. No incriminating material has transpired against the petitioner except for the said confessional statement and the said two accused namely Ankit Kumar @ Niraj and Gaurav Kumar have been enlarged on bail vide order 30.09.2021 passed in Cr. Misc. no.30310 of 2021. He is in custody since 7.12.2020 chargesheet has been submitted in the case.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case together with grant of bail to Gaurav Kumar and Ankit Kumar on whose confessional statement the name of the petitioner transpired together with the petitioner having remained in custody for over 1 year, the Court directs the petitioner to be enlarged on bail in connection with Sessions Trial no.248 of 2021 (arising out of Bath P.S. Case no. 17 of 2020) on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-X, Bhagalpur.

Bibhash/-

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**(Partha Sarthy, J)**

