

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48616 of 2021**

Arising Out of PS. Case No.-18 Year-2019 Thana- CHERIYA BARIYARPUR District-
Begusarai

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GARIB KUMAR S/O Bathu Sahni R/o village - Karor, P.O. - Khanjahapur,
P.S. - cheriya Bariyarpur, District - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar, Advocate
For the Opposite Party/s : Mr. Akhileshwar Dayal, APP

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

3 23-03-2022 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 302, 120B and 34 of the Indian Penal Code.

As per the prosecution case, Laxmi Sahani, Nunu Mani Ram as also others are said to have assaulted the brother of the informant leading to his death.

It is submitted by learned counsel for the petitioner that the petitioner is not named in the FIR. His name transpired in the statement of a witness who states that the petitioner was also present and was participating in the occurrence. The FIR named co-accused Nunu Mani Ram has been enlarged on bail vide order dated 26.8.2019 passed in Cr. Misc. no. 39618 of



2019. The petitioner is in custody since 18.1.2021 and has no criminal antecedent.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case, grant of bail to the FIR named co-accused Nunu Mani Ram, the petitioner having remained in custody for more than 1 year and not having any criminal antecedent, the Court directs the petitioner to be enlarged on bail in connection with Cheriya Bariyarpur P.S. Case no. 18 of 2019 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 Addl. District and Sessions Judge XI, Begusarai.

(Partha Sarthy, J)

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