

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55254 of 2021

Arising Out of PS. Case No.-239 Year-2016 Thana- KIUL RAIL P.S. District- Lakhisarai

NITISH KUMAR Son of Late Manoj Mahto @ Manoj Kumar Resident of
village - Barahiya Maharanisthan, P.S. - Barahiya, District - Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binay Kumar, Adv.

For the Opposite Party/s : Mr. Pawan Kumar Chaurasia, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 10-05-2022

Heard learned counsel for the parties.

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

As per the prosecution case, on the grandson of the
informant going to get his mobile phone, he was informed that
the said mobile was with Sonu Kumar. Thereafter it is stated
that the grandson of the informant went to get his mobile from
the said Sonu Kumar but did not return. Subsequently his dead
body was recovered.

It is submitted by learned counsel for the petitioner
that the petitioner is not named in the F.I.R. Referring to the
order of the learned court below rejecting the application for
bail of the petitioner, it is submitted that the name of the
petitioner transpired in paragraph no.119 of the case diary in the



confessional statement of co-accused Sonu Kumar and the said Sonu Kumar has himself been enlarged on bail vide order dated 24.1.2018 passed in Criminal Revision no.1119 of 2017. No incriminating material has transpired against the petitioner in course of investigation to connect him with the alleged crime. The petitioner is in custody since 17.4.2021 and has no criminal antecedent.

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

Having heard learned counsel for the parties and taking into consideration the petitioner having remained in custody for 1 year and grant of bail to the above named co-accused Sonu Kumar on whose confessional statement the name of the petitioner transpired, the Court directs the petitioner to be enlarged on bail in connection with G.R.P. Kiul P.S. Case no.239 of 2016 (arising out of G.R. Case no.447 of 2016) 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 Chief Judicial Magistrate, Railway, Kiul, Lakhisarai.

(Partha Sarthy, J)

Saurabh/-

U		T	
---	--	---	--

