

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58329 of 2021

Arising Out of PS. Case No.-12 Year-2020 Thana- BELA INDUSTRIAL District-
Muzaffarpur

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Niraj Kumar Son Of Suban Mahto Resident Of Village- Sherpur Kayasth
Tola, P.S.- Sadar, District- Muzaffarpur, Bihar

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prabhat Kumar Singh
For the Opposite Party/s : Ms. Anita Kumari

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 07-03-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with Bela P. S.
Case No.12 of 2020, instituted for the offences under Sections
302, 201, 120(B)/ 34 of the Indian Penal Code.

The learned counsel for the petitioner submits that the
petitioner is in custody since 03.02.2021, he is a person with
clean antecedent and charge-sheet has been submitted in this
case.

The learned counsel for the petitioner further submits
that the informant alleges that his son (deceased) left the house
after talking to Ravi Kumar, thereafter Chandan Kumar called
on the mobile of the deceased and informed the informant that



the deceased had come, when the deceased did not return, the informant called Chandan Kumar, but he did not pick-up the phone. Thereafter, he called Ravi Kumar and said that deceased is with him. On 25.03.2020, Kundan Kumar and Krishna informed the informant that the deceased's body was hanging from a tree. Hence, alleges that the named accused persons including the petitioner killed him.

The learned counsel for the petitioner submits that from perusal of the allegation as alleged in the F.I.R., it would manifest that the entire allegation hinges on suspicion. Further the allegation, if any, is against Ravi Kumar and Chandan Kumar. As far as this petitioner is concerned, he is only named in the F.I.R. without any allegation.

The learned counsel for the petitioner further submits that co-accused Ravi Kumar has been granted bail by order dated 09.04.2021 in Cr. Misc. No.1245 of 2021.

Learned A.P.P. opposes the bail application.

Considering the fact that the petitioner is in custody, he is a person with clean antecedent, charge-sheet has been submitted in this case and co-accused has been granted bail and taking into consideration the submissions of the learned counsel for the petitioner, the petitioner, above-named, is directed to be



released on bail on his furnishing bail-bonds in the sum of Rs.
10,000/- (Rupees Ten Thousand) with two sureties of the like
amount each to the satisfaction of learned Judicial Magistrate,
1st Class, Muzaffarpur in connection with Bela P. S. Case No.12
of 2020.

The application stands allowed.

(Satyavrat Verma, J)

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