

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.63322 of 2021**

Arising Out of PS. Case No.-55 Year-2021 Thana- MANSURCHAK District- Begusarai

NITIN KUMAR Son of Natho Paswan Resident of Village - Harichak Ward  
No. 12, P.S. Bhagwanpur, District - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Sandip Kumar Gautam, Advocate

For the Opposite Party/s : Mr. Ram Sumiran Rai, APP

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

3      16-05-2022      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, the son of the informant who was professionally into taking video photography, did not return home till late night and was not to be found inspite of search. It is stated that on the next day his dead body was found.

It is submitted by learned counsel for the petitioner that the FIR was registered against unknown. The name of the petitioner transpired in course of investigation in the confessional statement of co-accused Gaurav made before police. However, it is submitted that even as per the said confessional statement which is inadmissible, the overt act



alleged is not against the petitioner but against Mithun Kumar and Gaurav. The petitioner is in custody since 22.5.2021 and investigation in the case has concluded. He has no criminal antecedent.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the material that has transpired in course of investigation, the petitioner not being the assailant as per the confessional statement of co-accused together with the petitioner having remained in custody for about 1 year, the Court directs the petitioner to be enlarged on bail in connection with Mansoorchak P.S. Case no. 55 of 2021 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 Judicial Magistrate 1<sup>st</sup> Class, Begusarai.

**(Partha Sarthy, J)**

Prakash/-

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