

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53731 of 2022

Arising Out of PS. Case No.-21 Year-2022 Thana- LODIPUR District- Bhagalpur

Deepak Kumar Mishra, Son of Shankar Prasad Mishra, Resident of Village -
Baijani, P.s.- Bypass, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha, Advocate

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 23-12-2022 This matter has been listed today for consideration
through Video Conferencing.

Learned counsel for the petitioner is permitted to
remove the defect(s), as pointed out by the office, if any, within
a period of four weeks from today.

Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with Lodipur
P.S. Case No. 21 of 2022 registered for the offence punishable
under Sections 302, 34 of the Indian Penal Code.

As per prosecution case, the elder brother of the
informant went with the petitioner for check up before doctor
but stated by petitioner, they went to see the land at Bypass,
where the victim was murdered by knife blow by two unknown
persons. The informant suspected that the petitioner suffered



only minor injury and has full knowledge about the occurrence.

Learned counsel for the petitioner submits that petitioner is not named in the FIR. The FIR instituted against two unknown persons and there is no allegation against this petitioner as he was himself injured in the occurrence. During the investigation, the petitioner was apprehended by I.O. from the hospital who gave his confessional statement. He further submits that petitioner is also suffering from mental illness and save and except confessional statement there is no other evidence available against the petitioner. Charge-sheet has already been submitted against the petitioner. Petitioner has no criminal antecedent and he is in custody since 08.02.2022.

Learned APP for the State opposes the prayer of bail.

Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. IX, Bhagalpur, in connection with Lodipur P.S. Case No. 21 of 2022.

(Sunil Dutta Mishra, J)

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