

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65868 of 2021

Arising Out of PS. Case No.-97 Year-2020 Thana- NAGARNAUSA District- Nalanda

Udhakna @ Ankit Kumar, Son Of Rampravesh Prasad Resident Of Village-
Badiha, P.S.- Nagarnausa, District- Nalanda.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shivanand Singh
For the Opposite Party/s : Mr. Rajendra Prasad Nat

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 26-04-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered for the
offences punishable under Section 302/ 34 of the Indian Penal
Code and Section 27 of the Arms Act.

The learned counsel for the petitioner submits that the
petitioner is in custody since 14.03.2021, charges have been
framed and has antecedent of one case.

The learned counsel for the petitioner submits that the
informant alleges that he was riding a bicycle behind his
brother, who was carrying asbestos on a bullock cart. It is
further alleged that his brother was intercepted by Pinku Kumar
and two unknown criminals. The criminals fired
indiscriminately at the deceased killing him at the spot. It is



alleged that the informant identified Pinku Kumar.

The learned counsel for the petitioner submits that petitioner is not named in the F.I.R. and his name transpired in the confessional statement of Pinku Kumar after nearly six months of the occurrence and thereafter, in the re-statement of the informant after nine months of the occurrence and if the informant was knowing the petitioner from before, then he ought to have been disclosed his name in the F.I.R. The learned counsel further submits that similarly situated co-accused Mahendra Singh @ Mahendra Prasad @ King Mahendra has been granted bail by order dated 22.09.2021 in Cr. Misc. No.37847 of 2021.

The learned A.P.P. for the State opposes the bail application.

Considering the fact that the petitioner is in custody, charges have been framed and co-accused has been granted bail, the petitioner, above-named, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Sessions Trial No.389 of 2021 arising out of Nagarnausa P. S. Case No.97 of 2020, subject to



condition that one of the bailors shall be the father of the petitioner namely Rampravesh Prasad. Further if the learned Court below comes to a conclusion that after release the petitioner is trying to delay the trial, then after recording the reasoned order shall forthwith cancel his bail bonds.

The application stands allowed.

(Satyavrat Verma, J)

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