

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66098 of 2021**

Arising Out of PS. Case No.-79 Year-2020 Thana- ISHAKCHAK District- Bhagalpur

RAKESH SINGH SON OF NAND KISHORE SINGH RESIDENT OF
MOHALLA- ISHAKCHAK , P.S- ISHAKCHAK 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. Satya Nand Shukla, APP

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

2 25-04-2022 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, 120B and 34 of the Indian Penal Code.

As per the prosecution case, accused Shankar Singh is said to have stabbed the younger son of the informant in his stomach who subsequently died in course of treatment.

It is submitted by learned counsel for the petitioner that although the petitioner along with other accused persons are named in the FIR, the allegation of overt act is solely against Shankar Singh and not the petitioner herein. The case of the petitioner stands on a similar footing to that of co-accused Kanhiya Singh, Bahadur Singh and Nand Kishore Singh who have been enlarged on bail vide order dated 11.8.2021



(Annexure-2). The petitioner is in custody since 29.9.2020 and has no criminal antecedent.

Having heard learned counsel for the parties and taking into consideration allegation in the FIR wherein the specific overt act is against co-accused Shankar Singh and not the petitioner herein together with the petitioner having remained in custody for more than 1 year 6 months and grant of bail to the above named co-accused, the Court directs the petitioner to be enlarged on bail in connection with Sessions Trial no. 359 of 2020 (arising out of Ishakchak P.S. Case no. 79 of 2020) 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 Sessions Judge-XII, Bhagalpur.

(Partha Sarthy, J)

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