

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72036 of 2021

Arising Out of PS. Case No.-701 Year-2021 Thana- KHAGARIA District- Khagaria

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Bipin Kumar @ Vipin Ray Son of Ram Sagar Prasad Resident of Village -
Rahimpur, Naya Tola, Police Station - Muffasil (Khagaria), District -
Khagaria.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mrityunjay Kumar, Advocate

For the Opposite Party/s : Mr. Ajit Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 12-05-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in connection with Khagaria
(Chitragupt Nagar) P.S. Case No. 701 of 2021 registered under
Sections 341, 323, 353, 188, 224 and 34 of the Indian Penal
Code.

Learned counsel for the petitioner submits that the
petitioner is in custody since 06.09.2021, is a person with clean
antecedent, charge-sheet has been submitted in the case and the
informant alleges that Ramanand Yadav informed him that his
duty starts from 10 P.M., hence to get ready, on which the
informant before taking charge of duty inspected the prison
ward and saw the gate of prison was opened, on which when he
went to close the door, the same was objected by Ramanand



Yadav and thereafter Ramanand Yadav along with Dharmveer tried to strangle the informant but he managed to flee and reached the police station and instituted the F.I.R.

Learned counsel submits that the petitioner is not named in the F.I.R. and the specific allegation is against Ramanand Yadav and Dharmveer Yadav, the petitioner is a Home Guard *Jawan* and he was posted in the prison and it is alleged that he did not help the informant even when he saw Ramanand and Dharmveer fighting with the informant.

Learned counsel submits that the petitioner was completely unaware that as to why the quarrel between the informant and the accused was going on and as such he did not interfere. It is further submitted that co-accused Arun Kumar Das has been granted bail by order dated 30.03.2022 in Criminal Misc. No. 64189 of 2021.

The learned A.P.P. for the State opposes the prayer for bail of the petitioner.

Considering the fact that the petitioner is in custody since 06.09.2021, is a person with clean antecedent and charge-sheet has been submitted in the case and is not named in the F.I.R., let the petitioner above named is directed to 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 the learned court below where the case is pending/successor court in connection with Khagaria (Chitragupt Nagar) P.S. Case No. 701 of 2021.

(Satyavrat Verma, J)

ved/-

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