

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1827 of 2022

Arising Out of PS. Case No.-219 Year-2018 Thana- KATRA District- Muzaffarpur

AWNISH KUMAR SAH Son of Baliram Sah Resident of Village- Sighwari,
P.S.- Katra, District- Muzaffarpur, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Indrajeet Bhushan

For the Opposite Party/s : Mr.Aditya Narayan Singh.1

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 14-02-2022 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks regular bail in connection with
Katra Police Station Case No. 219 of 2018, registered for the
offence punishable under Sections 302/120-B/34 of the I.P.C.

The prosecution case, as per the First Information
Report, is that the son of the informant left his house in a
Maruti-800 Car in drunken state and met with an accident at two
places but thereafter, the chowkidar, Ram Ekbal Rai, and one
passersby left his son near the shop of one Md. Shibli, but in
the morning, the said Choukidar, Ram Ekbal Rai, and one Navin
Thakur gave information regarding murder of informant's son
whose body was having bullet and knife injuries upon head and
neck.



Learned Counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and he has falsely been implicated in this case merely on suspicion and there is no material to connect the petitioner with the present offence. He further submits that similarly situated co-accused, Gaurav Kumar (Criminal Misc. No. 45639 of 2019), Ritesh Sah (Criminal Misc. No. 8703 of 2021), Md. Ali Hasan @ Md. Shibli (Criminal Misc. No. 74092 of 2019) have been granted bail by Co-ordinate Benches of this Court and co-accused persons, namely, Rakesh Kumar @ Rakesh Ranjan (Criminal Misc. No. 36445 of 2021) and Sanjay Rai (Criminal Misc. No. 48660 of 2021) have also been granted bail by this Court. He next submits that petitioner is in custody since 15.01.2021, and charge sheet has been submitted against him and as such, there is no likelihood that the petitioner will abscond and/or tamper with the evidence.

Regards being had to the submissions made by the parties and taking into consideration the materials available on record, the fact that petitioner is in custody since 15.01.2021, charge-sheet has already been submitted, similarly situated co-accused persons have been granted bail by this court and the trial is not likely to be concluded in near future due to



pandemic, I am inclined to grant regular bail to the petitioner.

This application is, accordingly, allowed.

Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Muzaffarpur, in connection with Katra Police Station Case No. 219 of 2018, subject to the conditions that (i) the petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bonds shall be cancelled by the court below, and (ii) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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