

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16788 of 2023

Arising Out of PS. Case No.-477 Year-2021 Thana- KADAMKUAN District- Patna

Aman Kumar, Son of Vijendra Kumar Singh Resident of Village- Kishanpur
Baikunth, P.S. - Warisnagar, District- Samstipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ramakant Sharma, Sr. Advocate
		Mr.Pankaj Kumar, Advocate
For the Opposite Party/s :		Mr.Arun Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 4 10-05-2023 1. Heard learned senior counsel for the petitioner and the learned APP for the State.
2. Petitioner seeks regular bail in connection with S.T. No. 419 of 2022 arising out of Kadamkuan P.S. Case No. 477 of 2021 dated 18.09.2021 registered for the offences punishable under Sections 307, 120(B)/34 of the Indian Penal Code and Section 27 of Arms Act.
3. The main submissions advanced by the learned senior counsel for the petitioner are that the petitioner earlier preferred Cr. Misc. No. 7638 of 2022 for the relief of regular bail which was rejected by this bench and now the petitioner has again come for the same relief on these grounds that the petitioner has been languishing in jail for a long period since



07.12.2021 but till date charge has not been framed upon him, though as per report of trial court a discharge petition was filed by the co-accused persons but the same has been rejected and despite of that, the charges could not be framed upon the petitioner and the petitioner's case is at initial stage and the second ground is that after the rejection of petitioner's first prayer, co-accused Mihir Singh @ Bittu, Aryan Kumar @ Rohit Singh and Md. Samshad have been granted bail by different benches of this court vide orders passed in Cr. Misc. No. 13653 of 2022 and Cr. Misc. No. 40028 of 2022 respectively and among the said co-accused persons Md. Samshad has two criminal antecedents and petitioner's case is completely identical to him. Further submissions are that the petitioner's case was committed on 29.03.2022 but the charge has not been framed till date and mainly on the basis of CCTV footage the petitioner has been made accused in this case and there is no direct evidence against him to show his involvement in the alleged crime and he is not named in the FIR and he is a young person.

4. Learned APP appearing for the State opposes the bail prayer.

5. Considering the above fresh grounds and mainly



the petitioner’s custody period and also the fact that petitioner’s trial has not started till date and similarly situated co-accused persons mentioned above are on bail, in the opinion of this court, the petitioner is now entitled to be released on bail at this stage. Accordingly, let the petitioner be released on bail in connection with Kadamkuan P.S. Case No. 477 of 2021 on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned.

(Shailendra Singh, J)

Rajiv/-

U		T	
---	--	---	--

