

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18183 of 2023

Arising Out of PS. Case No.-316 Year-2022 Thana- BIRPUR District- Supaul

VAKIL BHANT @ MD. VAKIL S/O MAJIR BHANT Resident of Village-
Parmanandpur, P.S.- Birpur, District- Supaul

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shailendra Kumar Singh
For the Opposite Party/s : Mr.Nirmal Kumar Sinha

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 27-06-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 302/34 of the Indian Penal Code.

As per prosecution case, prosecution case relates to causing death of the informant's son namely, Saddam Bhant. The allegation has been made against the petitioner that he assaulted the deceased by slaps and fists. Thereafter, other co-accused killed the deceased and hanged by rope.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. From perusal of FIR as well as case diary, it appears that this petitioner assaulted the deceased only by fists and slaps and he has no intention to kill



the deceased. The specific overt act is attributed against co-accused Md. Mukhtar who fastened the neck of deceased by nylon rope and started dragging him. During course of investigation, no any congest material has come against the petitioner. A statement has been made in para-3 of the petition that the petitioner has got no criminal antecedent. It is further submitted that the petitioner is languishing in judicial custody since 28.11.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Birpur P.S. Case No. 316 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-I, Birpur.

(Sunil Kumar Panwar, J)

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