

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20012 of 2023

Arising Out of PS. Case No.-301 Year-2022 Thana- PIPRA District- Supaul

Lalit Kumar, S/o Shambhu Mandal, R/o Village- Supaul Nagar Parishad Ward
No. 28, P.S- Supaul, District.- Supaul, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Shyam Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

3 03-08-2023 1. Heard learned counsel for the petitioner and the
learned APP for the State.

2. Petitioner seeks regular bail in connection with
Pipra P.S. Case No. 301 of 2022 dated 12.10.2022 registered
for the offence(s) punishable under Section(s) 302, 201, 120B /
34 of the Indian Penal Code.

3. The main submissions advanced by the learned
counsel for the petitioner are that the petitioner is not named in
the FIR, during investigation in the confessional statement of
Avnesh Kumar @ Avinesh Kumar, the names of this petitioner,
Shambhu Kumar and Balkrishna Kumar @ Gopal Mandal came
into light, out of them co-accused person Shambhu Kumar has
been granted bail by a co-ordinate bench of this court vide order
passed in Cr. Misc. No. 17850 of 2023 and Avnesh Kumar @



Avinesh Kumar, who made the said confessional statement has also been granted bail by a co-ordinate bench of this court vide order passed in Cr. Misc. No. 40419 of 2023 and petitioner is a 19 years old young person and if the confessional statement of Avnesh Kumar is taken into account even then no serious allegation appears against this petitioner and during investigation, prosecution's witnesses claimed to have seen the victim going with the accused persons including the petitioner on 08.10.2022 but the body of the victim was recovered on 11.10.2022 and there was a gap of three days in between the alleged last seen of the victim with co-accused persons and the recovery of his dead body and there is no eye-witness of the alleged occurrence. Further submissions are that petitioner has no criminal antecedent and he has been languishing in jail since 18.10.2022 and against him, the investigation has been completed.

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

5. Considering the above submissions and mainly petitioner's young age and completion of investigation against him and also the privilege of bail having been granted to above mentioned accused persons, including the co-accused Avnesh



Kumar @ Avinesh Kumar, on whose confessional statement, the names of this petitioner and other co-accused persons came into light, this court is inclined to accept the bail prayer of the petitioner. Accordingly, let the petitioner named-above be enlarged on bail in connection with Pipra P.S. Case No. 301 of 2022 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)

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