

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27204 of 2023

Arising Out of PS. Case No.-101 Year-2022 Thana- BHAGWANPUR District- Begusarai

Avnish Kumar, Male, Aged about 25 Years, Son of Vinod Singh, Resident of
Village- Dahiya, P.S.- Bhagwanpur, Distt- Begusarai

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Madhav Kumar, Advocate

For the Opposite Party : Mr. Sunil Kumar Pandey, A.P.P.

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 25-05-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with
Bhagwanpur P.S. Case No. 101 of 2022 dated 02.06.2022,
instituted for the offence punishable under Sections 302, 201
and 34 of the Indian Penal Code and Section 27 of the Arms
Act.

3. As per the prosecution case, some unknown
miscreants killed the son of the informant after making shot fire
and thereafter concealed his dead body in the well.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in this
case. It is further submitted that the petitioner is not named in
the F.I.R.. The petitioner has been made accused in this case



merely on the basis of suspicion. There is no eye-witness of this case and the allegation leveled against the petitioner having no base. Further, it is submitted that the petitioner's name transpired in this case only on the basis of call details records (C.D.R) as the petitioner and deceased were of the same village and close friends. It is also submitted that another co-accused, namely, Priyanshu Kumar, Chhotu Kumar, Shivam Kumar and Rajan Kumar have already been granted bail by a Co-ordinate Bench of this Court *vide Order dated 01.05.2023, 03.05.2023, 11.05.2023 & 11.05.2023 passed in Criminal Miscellaneous No. 74492 of 2022, Criminal Miscellaneous No. 64991 of 2022, Criminal Miscellaneous No. 11587 of 2023 and Criminal Miscellaneous No. 12889 of 2023* respectively. Lastly, it has been submitted that the petitioner is in custody since 20.01.2023 having no criminal antecedents and charge-sheet has been submitted in the case.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount



each to the satisfaction of the learned Judicial Magistrate-1st
Class, Begusarai in Bhagwanpur P.S. Case No. 101 of 2022.

(Khatim Reza, J)

Gaurav Kumar/-

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