

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32186 of 2023**

Arising Out of PS. Case No.-202 Year-2021 Thana- DUMRA District- Sitamarhi

Divyansh Kumar Son of Arunesh Jha R/O-Madhopur, P.S.-Bathnaha, Distt.-
Sitamarhi

... .. Petitioner/S

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vikash Kumar Jha, Advocate

For the Opposite Party/s : Mr. Kanhaiya Kishore (App)

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER**

2 03-07-2023 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with STR. No.
122/2022 arising out of Dumra P.S. Case No. 202 of 2021
registered for the offence under Sections 302/34 of the Indian
Penal Code and Section 27 of Arms Act.

The accused/petitioner is not named in the F.I.R. and
is in custody since 08.06.2021.

The allegation against this petitioner is to commit
murder of son of informant by causing firearm injuries
alongwith other unknown co-accused persons.

Learned counsel appearing on behalf of the petitioner



submitted that petitioner is not named in F.I.R., where allegation against this petitioner is appearing very much general and omnibus. It is submitted that similarly situated co-accused person namely, Shubham Kumar, has already granted bail by one of the learned co-ordinate Bench of this Court through Cr. Misc. No. 65971 of 2021 vide order dated 14.11.2022. While concluding the argument, it has been submitted that petitioner found involved in four more criminal cases, where he is on bail in three cases and moreover, investigation of this case is completed, for which charge-sheet has already submitted, as such, there is no chance of tampering with the evidence.

Learned APP opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, and by taking note of the fact as allegation is appearing very much general and omnibus against this petitioner, coupled with the fact that charge-sheet has already submitted, where petitioner is in custody since 08.06.2021, accordingly the petitioner, above named, is directed to be released on bail in connection with STR No. 122 of 2022 arising out of Dumra P.S. Case No. 202 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional District &



Sessions Judge-II, Sitamarhi/concerned Court, subject to the
conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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