

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38341 of 2023

Arising Out of PS. Case No.-47 Year-2022 Thana- KIUL District- Lakhisarai

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Dheeraj Kumar, Son of Kamal Kishor Prasad, R/o Village - Lakhuchak, P.S.-
Kuil, District - Lakhisarai.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Rajnish Chandra, Advocate

For the Opposite Party/s : Mr. Navin Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 18-07-2023 Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

2. The accused/petitioner seeks bail in connection
with Kuil P.S. Case No.47 of 2022 registered for the offences
punishable under Sections 302 read with 34 of the Indian Penal
Code and Section 27 of the Arms Act.

3. The accused/petitioner is named in the FIR and is
in custody since 01.02.2023.

4. Allegation against the petitioner is to commit
murder of father of the informant along with other named co-
accused persons, where occurrence arises out of previous
enmity, where petitioner along with other named co-accused
persons outraged the modesty of minor sister of informant for
which, a case was lodged as Mahila P.S. Case No.30 of 2021.



5. It is submitted by learned counsel that informant is the eye-witness of the occurrence and as per his version, the specific allegation to cause fatal assault is available against named co-accused persons, namely, Dilkhus Kumar, Karu Kumar and Ravi Kumar, where name of this petitioner appears only for the reason that he was involved in Mahila P.S. Case No.30 of 2021, which was lodged in connection with outraging the modesty of the minor sister of informant. It is submitted that petitioner found involved in total of four cases, where in aforesaid Mahila P.S. Case No.30 of 2021, which was the basis of his implication with present case, the final form was submitted after investigation except that he found involved in three more criminal cases, where he is on bail and moreover investigation of this case has been completed, for which, charge-sheet has been submitted and, as such, there is no chance of tampering with the evidence.

6. Learned APP opposes the prayer for grant of bail to the petitioner.

7. In view of above-mentioned facts and circumstances and by taking note of fact as specific allegation to cause fatal knife injuries is available against other named co-accused persons not against this petitioner, coupled with the fact



that charge-sheet has already submitted, where petitioner is in custody since 01.02.2023, accordingly, the petitioner, above-named, is directed to be released on bail furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., Lakhisarai in connection with Kuil P.S. Case No.47 of 2022, subject to the conditions as laid down under Section 437(3) of the CrPC.

(Chandra Shekhar Jha, J.)

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