

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36777 of 2023

Arising Out of PS. Case No.-518 Year-2022 Thana- DEEPNAGAR District- Nalanda

1. Akash Kumar Son Of Arjun Mahto Resident Of Village- Mahanandpur, Ps- Deepnagar, Distt- Nalanda
2. Shrikant Kumar @ Ravikant Kumar Son Of Arjun Mahto Resident Of Village- Mahanandpur, Ps- Deepnagar, Distt- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhim Sen Prasad

For the Opposite Party/s : Mr. Dr. Indihar Kumari

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 03-07-2023 Heard learned counsel for the petitioners and
learned APP for the State.

The petitioners have prayed for regular bail in a case instituted for the offence under Sections 147, 149 and 302 of the Indian Penal Code and later on added Sections 201, 120B and 34 of the IPC.

As per FIR, the allegation against the petitioners along with others is of killing the son of the informant and threw his dead body in the *Lane (Gali)*, when he went to attend nature's call.

It is submitted by learned counsel for the petitioners that petitioners have been falsely implicated in this case due



to previous enmity. They have committed no offence. General and omnibus allegation of assaulting is leveled against these petitioners. There is no specific overt act against these petitioners. It is further submitted that the dead body was found in the street and due to dispute with respect to street, the name of the petitioners have falsely been dragged in this case. During course of investigation, no consistent material has come on record which shows the complicity of the petitioners in the alleged offence. Petitioners have got no criminal antecedent as stated in para-3 of the bail petition. Moreover, similarly situated co-accused namely, Arjun Mahto & Rita Devi have already been granted bail by this Court vide order 12.5.2023 passed in Cr. Misc. No. 18164 of 2023 and in support of this Annexure-2 has been annexed with this petition. They are languishing in judicial custody since 15.11.2022.

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, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) each with



two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Nalanda at Biharsharif in connection with Deepnagar P.S. Case No. 518 of 2022.

(Sunil Kumar Panwar, J)

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