

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39236 of 2022

Arising Out of PS. Case No.-40 Year-2022 Thana- NAUTAN District- West Champaran

AMIT KUMAR (Male), aged about 30 years, S/o Prabhu Sharma, R/o village- Khadda, Bangla Tola, Ward No. 01, P.S.- Nautan, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Gupta, Advocate

For the Opposite Party/s : Dr. (Mrs.) Indihar Kumari, App

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

4 21-04-2023 Let the defect(s), if any, pointed out by the office be removed within three weeks from the date of this order failing which the matter be listed again under the appropriate heading for necessary action.

2. Heard learned counsel for the petitioner and the learned APP for the State.

3. Petitioner seeks regular bail in connection with Nautan P.S. Case No. 40 of 2022 dated 27.01.2022 registered for the offence(s) punishable under Section(s) 304(B), 302/34 of the Indian Penal Code.

4. The main submissions advanced by the learned counsel for the petitioner are that admittedly the petitioner was not present at his village when the alleged occurrence took place



and he was in Jammu and Kashmir State for the purpose of his livelihood and he is not named in the FIR and he has been languishing in jail since 02.04.2022 having fair and clean antecedent, after filing the FIR of the present matter, the informant realized his mistake and filed a compromise petition (Annexure 2) before the trial court.

5. Learned APP appearing for the State has opposed the bail prayer.

6. Considering the above submissions and mainly the facts that the petitioner is not named in the FIR, admittedly he was not present at his village which is stated to be the place of occurrence at the relevant time of the commission of the alleged occurrence, in the opinion of this Court a lenient approach can be taken in respect of the petitioner's prayer, let the petitioner be released on bail in connection with Nautan P.S. Case No. 40 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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