

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43292 of 2022**

Arising Out of PS. Case No.-846 Year-2021 Thana- BHAGALPUR KOTWALI District-
Bhagalpur

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Vinit Kumar @ Dablu Mandal Son Of Sri Kamlakant Chaubey Resident Of
Adarsh Colony, Surkhikal Battha, P.S. Barari, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vaishnavi Singh

For the Opposite Party/s : Mr.Satyendra Narayan Singh

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**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

4 17-04-2023 Heard learned counsel for the petitioner and

learned A.P.P appearing on behalf of the State.

The petitioner is languishing in custody in a
case registered for the offences punishable under Section
302/34 of the Indian Penal Code and Section 27 of the
Arms Act.

The prosecution case as per F.I.R. is that on
12.12.2021 at 11:25 hours, the informant got
information by friend of his elder brother that his brother
has been shot dead by petitioner and other co-accused
persons.



It is submitted by learned counsel for the petitioner that petitioner is innocent and he has falsely been implicated in this case due to ulterior motive. There is no eye witness to the alleged occurrence. Nothing incriminating article has been recovered from the conscious possession of the petitioner. Except suspicion, there is no direct and consistent material evidence against the petitioner. Moreover, other similarly situated co-accused has been granted bail by a co-ordinate Bench of this Court vide order dated 20.01.2023 passed in Cr. Misc. No. 34238 of 2022. The petitioner is languishing in custody since 22.12.2021. A statement has been made in para 3 of this petition that petitioner has no criminal antecedent.

Learned A.P.P. appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioner.

Considering the facts aforesaid and the period under custody, let the petitioner, above named, be



released on bail on furnishing bail bonds of Rs. 10,000/-
(Ten Thousands) with two sureties of the like amount
each to the satisfaction of learned Chief Judicial
Magistrate, Bhagalpur in connection with Kotwali Barari
P.S. Case No. 846 of 2021.

(Sunil Kumar Panwar, J)

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