

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46751 of 2023

Arising Out of PS. Case No.-779 Year-2022 Thana- GOPALGANJ TOWN District-
Gopalganj

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DEEPAK KUMAR, Son of Sri Suresh Prasad, Resident of village - Tirbirwan,
P.S. and District. - Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Shiv Sager Sharma, Advocate
For the Opposite Party/s	:	Mr.Ram Anurag Singh, APP
For the Informant	:	Mr. Pratyush, Advocate

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 2 31-07-2023 1. Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.
2. Petitioner seeks regular bail in connection with
Gopalganj P.S. Case No. 779 of 2022 dated 23.09.2022
registered for the offences punishable under Sections 302, 201
and 120(B) of the Indian Penal Code .
3. The main submissions advanced by the learned
counsel for the petitioner are that the petitioner is not named in
the FIR, he himself surrendered before the trial court on
24.01.2023 and has been languishing in jail since then and one
named co-accused namely, Govind Yadav has been granted bail
by a co-ordinate bench of this court vide order passed in Cr.
Misc. No. 3668 of 2023 and the petitioner's case stands on



better footing from him as petitioner is not named in the FIR and one another co-accused namely, Marandi @ Manoranjan @ Ritik Kumar @ Ritik Sharma, whose case is completely identical to this petitioner, is also on bail granted by a co-ordinate bench of this court vide order passed in Cr. Misc. No. 17675 of 2023. Further submissions are that the petitioner has fair and clean antecedent and the informant is not the eye-witness of the alleged occurrence and the main allegation of taking the victim from his house is against co-accused Krishna Kumar and Sonu Kumar and two co-accused persons namely, Harendra Yadav and Bandhu Yadav have not been sent up by the police after the completion of investigation.

4. Learned counsel appearing for the informant has vehemently opposed the bail prayer and submitted that on the body of the deceased several stab wounds were found which show that the victim was brutally murdered and the same is also sufficient to show that many persons were involved in the killing of the victim. Though, the petitioner is not named in the FIR but during investigation his role came into light in the re-statement of the informant.

5. Having regard to the facts and circumstances of this case and considering the above submissions and mainly the



facts that the petitioner is not named in the FIR and he has fair and clean antecedent and as per above submission his name came into light in the alleged crime in the re-statement of the informant and two co-accused persons mentioned above are on bail and against the petitioner the investigation has been completed, in my opinion, in the present circumstances, the petitioner deserves to the privilege of bail. Accordingly, let the petitioner named-above be enlarged on bail in connection with Gopalganj P.S. Case No. 779 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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