

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47162 of 2023

Arising Out of PS. Case No.-42 Year-2021 Thana- GAYA MUFASIL District- Gaya

BIRU KUMAR @ VEERU KUMAR S/o- JITENDRA KUMAR Village-
Nimthu Ps- Neemchak Bathani Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Kumar No2, Advocate

For the Opposite Party/s : Mr.Uma Shankar Prasad Singh, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 03-08-2023 Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

2. Heard learned counsel for the petitioner and learned A.P.P for the State.

3. The petitioner has preferred this application for grant of regular bail in connection with Gaya Mufassil P.S. Case No. 42 of 2021 dated 22.01.2021 registered for the offences punishable u/ss 302, 201 read with Section 34 of the Indian Penal Code.

4. As per the prosecution case, the police personnel was on patrolling then they saw that two persons riding on a motorcycle were going to Green Field School from Bhusunda



and the pillion rider was carrying a jute bag and when the police tried to stop them, the driver of the motorcycle took-u-turn and started fleeing away and on chase by throwing the bag and leaving the motorcycle, both the persons fled away taking the benefit of the night and when the police opened the bag then they found a dead body of a youth aged about 25 years old and when the said motorcycle was searched, some articles such as one litre petrol, a blue and black coloured shoes of right foot and four packets of salt of Tata company.

5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is not named in the F.I.R. The name of the petitioner has sprung up in the confessional statement of the co-accused, Durga Sao who has already been granted bail by the Coordinate Bench of this court vide order dated 11.05.2022 passed in Cr. Misc. No. 51883 of 2021. The petitioner is accused in three other criminal cases as stated in para 3 of the bail petition. The petitioner is in custody since 06.02.2023.

6. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

7. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-



named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Gaua in connection with Gaya Mufassil P.S. Case No. 42 of 2021.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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