

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57638 of 2023

Arising Out of PS. Case No.-73 Year-2019 Thana- KANTI District- Muzaffarpur

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Durgesh Kumar @ Chulbul S/O Sant Kumar Chaudhary R/O Village-
Kalwari, P.S- Kanti, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Krishna Chandra Ojha

For the Opposite Party/s : Mr.Arun Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 07-11-2023 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

Sections 302/34 of the Indian Penal Code and 27 of the

Arms Act.

It is a case of commission of murder of the son

of the informant namely Ankit Kumar @ Sonu Kumar

and Avinash Kumar by some unknown criminals.

It is submitted by learned counsel for the

petitioner that petitioner is innocent and he has falsely

been implicated in this case. The petitioner is neither

named in the F.I.R. nor any witness during investigation



has named the petitioner. The name of the petitioner subsequently sprang up on the confessional statement of co-accused Sudhakar Kumar and except confession nothing has come against the petitioner. The petitioner is languishing in custody since 13.03.2023. Moreover, similarly situated co-accused person has been granted privilege of bail by a co-ordinate Bench of this Court vide order dated 15.10.2019 passed in Cr. Misc. No. 61425 of 2019.

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 Judicial Magistrate, 1st Class, Muzaffarpur in connection with Kanti P.S. Case No. 73 of 2019.

(Sunil Kumar Panwar, J)

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