

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54276 of 2022

Arising Out of PS. Case No.-190 Year-2022 Thana- TEGHRHA District- Begusarai

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Kari Singh @ Ranjeet Singh @ Ranjeet Kumar Singh Son of Late Baban Singh Resident of Village - Ward no.03, Near Hanuman Mandir, Adharpur, P.s.- Teghra, Distt.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Pritish Kumar Lal, Advocate

For the Opposite Party/s : Mr. Amitesh Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

3 10-04-2023 Let the defects, if any, pointed out by the office be removed within four weeks from the date of this order, failing which the matter be listed again under the appropriate heading for necessary action.

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

Petitioner seeks regular bail in connection with Teghra P.S. Case No. 190 of 2022 registered for the offences punishable under Sections 364 and 34 of the Indian Penal Code and later on Sections 302 and 120(B) of IPC were added.

As per the prosecution, the informant alleged that FIR named accused persons kidnapped the informant's son, thereafter when the victim did not return, the informant raised suspicion that his son might have been killed by the above-

mentioned persons.

The main submissions advanced by learned counsel for petitioner are that the petitioner is not named in the FIR, his name surfaced in the alleged crime in the restatement of the informant during investigation and as per the FIR one namely, Rahul Kumar is stated to be the main witness of the alleged occurrence and he has been examined during investigation but he did not reveal the name of this petitioner being involved in the alleged crime and one co-accused Bijo Sah who was arrested during investigation, made his statement before the police upon which the prosecution is relying, but he did not reveal the petitioner's name in the alleged crime and according to him the petitioner merely helped the co-accused persons in fleeing from the village and co-accused Ajeet Kumar Singh @ Ajit Kumar whose case is identical to the petitioner has been granted bail by a co-ordinate bench of this Court vide order passed in Cr. Misc. No. 53704 of 2022 and against the petitioner there is criminal antecedent of one case in which he is on bail and in the present matter against him the investigation has been completed.

Learned APP for the State has opposed the bail prayer.

Considering the above submissions and mainly the facts that the petitioner is not named in the FIR, his name surfaced

during investigation in the restatement of the informant and one co-accused named above whose case is identical to the petitioner is on bail, in my opinion, it is a fit case for bail to the petitioner. Accordingly, let the petitioner named above be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of concerned Court in connection with Teghra P.S. Case No. 190 of 2022.

(Shailendra Singh, J)

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