

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54326 of 2022

Arising Out of PS. Case No.-21 Year-2021 Thana- DALSINGHSARAI District- Samastipur

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Vinod Kumar @ Khanna Son of Sanjay Sah R/V- Malpur, P.S- Dalasingsari,
Dist- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Surya Narayan Roy, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

4 15-02-2023 Let the defect(s), if any, pointed out by the office be removed within three 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 Dalsingsarai P.S. Case No. 21 of 2021 registered for the offences punishable under Section 392/34 of the Indian Penal Code and Section 27 of Arms Act.

As per the prosecution, the informant's father was shot dead by some unknown miscreants.

The main submissions advanced by the learned counsel Mr. Surya Narayan Roy for the petitioner are that the



FIR was registered against unknown persons and at the initial stage the material witnesses including the mother of the informant did not disclose the implicity of the petitioner in the alleged crime of murder while the petitioner is relative of the informant and later on the informant's mother and other material witnesses recorded their statements alleging the role of the petitioner in the alleged crime of murder while at the initial stage of investigation they remained mum regarding the alleged involvement of the petitioner in the murder of informant's father. Further submission is that similarly situated two co-accused persons namely Lal Babu Singh @ Lalu and Sanjay Sah have been granted bail by co-ordinate bench of this court vide orders passed in Cr. Misc. No. 39397 of 2022 and Cr. Misc. No. 40755 of 2022 and petitioner has been languishing in jail since 05.04.2022.

Learned APP Uma Shankar Prasad Singh appearing for the State has opposed the bail prayer.

Having considered the above submissions and mainly the facts that the petitioner was not named in the FIR despite of being a relative of the informant and later on the material witnesses of the prosecution revealed the implicity of the petitioner in the alleged crime of murder, but at the initial stage



of investigation they remained mum regarding the alleged involvement of the petitioner in the alleged crime and also considering the petitioner’s custody period and the privilege of bail having been granted to two similarly situated co-accused persons by co-ordinate benches of this court, this court is inclined to accept his bail prayer. Accordingly, let the petitioner be released on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the concerned Court in connection with Dalsingsarai P.S. Case No. 21 of 2021.

(Shailendra Singh, J)

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