

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56923 of 2023

Arising Out of PS. Case No.-778 Year-2022 Thana- TEKARI District- Gaya

RAJ KUMAR PRASAD son of Malchand Yadav Village- Srigaon Ps- Tekari
Dist- Gaya P/A- maniyar Bigha Ps- Konch Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar Chakravarti

For the Opposite Party/s : Mr.Umesh Lal Verma

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 03-11-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 364, 302/34 of the Indian Penal Code.

3. According to prosecution case, the father of the informant is owner of brick kiln and proceeded for market after taking Rs. 17,000/- from his *Munsi* but thereafter, he did not return home. The informant has apprehension that his father might have been killed by someone.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The petitioner is not named in the FIR. His name was transpired in this case on the basis of confessional statement of co-accused



Manju Devi. No any consistent material regarding commission of murder has come against the petitioner. No one is eye witness of the alleged occurrence. The petitioner has got no criminal antecedent as stated in para-3 of the bail petition and languishing in judicial custody since 17.11.2022. Moreover, similarly situated co-accused namely, Arun Kumar Manjhi has already been granted bail by a co-ordinate Bench of this Court vide order dt. 27.8.2023 passed in Cr. Misc. No. 22124 of 2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge him on bail. The above named petitioner is directed to be released on bail in connection with Tekari P.S. Case No. 778 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Addl. Chief Judicial Magistrate, Gaya.

(Sunil Kumar Panwar, J)

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