

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55172 of 2022

Arising Out of PS. Case No.-138 Year-2022 Thana- MALSALAMI District- Patna

Durga Kumar @ Durga Shani @ Durga Sahni S/O Dablu Sahni Resident Of-
Humad Gali, Police Station- Chowk, District- Patna

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shashank Shekhar

For the Opposite Party/s : Mr.Aditya Narayan Singh.1

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 16-02-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has filed the instant application for grant of regular bail in a case registered for the offences punishable under Sections 147, 149, 120(B), 302 of the Indian Penal Code.

The prosecution case in nutshell is that son of the informant, as seen by one Raja Kumar, was going with the petitioner and other co-accused persons and later, his dead body was found.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and he has



falsely been implicated in the present case. The name of petitioner sprang up in this case on suspicion only on the basis of last seen. There is no eye witness of the alleged occurrence. There is no specific overt act of allegation levelled against the petitioner which shows his involvement in the present case. Moreover, the petitioner is languishing in judicial custody since 12.06.2022. Similarly situated co-accused person has been granted Bail vide order dated 16.12.2022, passed in Cr. Misc. No. 54792 of 2022 by the co-ordinate Bench of this Court.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Malsalami P.S. Case No. 138 of 2022 on furnishing



bail bond of Rs. 10,000/- (Rupees ten thousand) with
two sureties of the like amount each to the satisfaction
of the learned Additional District & Sessions Judge, IV,
Patna City.

(Sunil Kumar Panwar, J)

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