

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.57444 of 2022**

Arising Out of PS. Case No.-765 Year-2021 Thana- BHAGALPUR KOTWALI District-  
Bhagalpur

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Amit Kumar Son Of Late Shikari Rai Resident Of Village - Golaghat, P.S.-  
Tatarpur, District - Bhagalpur

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Amrendra Kumar  
For the Opposite Party/s : Mr.Anita Kumari

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**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
**ORAL ORDER**

3      21-02-2023                      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 Section 394 of the Indian  
  
Penal Code and later on Section 302 of Indian Penal  
  
Code has been added.

As per allegation in the FIR, three miscreants  
  
assaulted the line man Rajesh Kumar Roy by means of  
  
Iron rod, due to which he sustained head injuries and  
  
snatched his mobile phone. Later on, Rajesh Kumar Roy



succumbed to injuries.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and he has falsely been implicated in the present case. Petitioner is not named in F.I.R. and the name of petitioner sprang up in this case on the basis of confessional statement of co-accused Ravi Kumar, from whose possession the mobile of deceased was recovered. Neither there is any eye witness of the alleged occurrence nor there is any consistent and material evidence against the petitioner. Moreover, the petitioner is languishing in judicial custody since 18.11.2022. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

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 Kotwali (Tilkamanjhi) P.S. Case No. 765 of 2021 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 A.D.J. V<sup>th</sup>, Bhagalpur.

(Sunil Kumar Panwar, J)

nirajkrs/-

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