

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64948 of 2022

Arising Out of PS. Case No.-222 Year-2022 Thana- BIDUPUR District- Vaishali

PRINCE KUMAR Son of Ramnath Sahni R/O- Rashlpur Patharghat, P.S.-
Patori, District - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Niranjana Parihar, Advocate

For the Opposite Party/s : Mr. Rajendra Singh, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

3 12-04-2023 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 Bidupur P.S. Case No.222 of 2022 dated 10.05.2022 registered for the offences punishable under Sections 363, 302 and 34 of the Indian Penal Code.

As per the prosecution, the informant alleged that the FIR named accused persons killed his son and hanged the dead body to a mango tree and prior to the said occurrence the accused persons threatened the informant of dire consequence.



The main submissions advanced by the learned counsel for the petitioner are that the petitioner is not named in the FIR, petitioner is a friend of the deceased, he has been made accused mainly on the basis of his phone's tower's location which was found near the place of occurrence and the same was also made the main ground by the learned trial Court while rejecting the bail prayer of the petitioner and during investigation statement of Birju Kumar was recorded and according to him the petitioner was not present at the alleged place of occurrence. Further submission is that the petitioner has fair and clean antecedent and has been languishing in jail since 19.08.2022 and the informant did not raise even suspicion against the petitioner.

Learned APP appearing for the State has opposed the bail prayer.

In view of the facts, as stated above, and mainly considering the petitioner's custody period and also the fact that petitioner is not named in the FIR, in the opinion of this Court a lenient approach can be taken in respect of the petitioner's prayer, 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 Bidupur P.S. Case No.222 of 2022.

(Shailendra Singh, J)

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