

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65598 of 2022

Arising Out of PS. Case No.-1098 Year-2021 Thana- PHULWARISHARIF District- Patna

RAJ KUMAR S/O YOGENDRA PRASAD Resident of village- Lodipur,
P.S.- Naubatpur, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Samrendra Kumar Jha, Advocate

For the Opposite Party/s : Mr. Harendra Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 20-03-2023 Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned A.P.P for the State.

The petitioner has preferred this application for grant of regular bail in a case registered under section 302 and 120B read with section 34 of the Indian Penal Code section 27 of the Arms Act.

As per the prosecution case, two unknown miscreants came in the office of the informant's husband and after saluting, shot him dead on account of political rivalry.



Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is not named in the FIR. The name of the petitioner has sprung up in the confessional statement of the co-accused Vicky Kumar. Similarly situated co-accused has already been granted bail by the co-ordinate bench *vide* order dated 17.05.2022. passed in Cr. Misc. No. 21815 of 2022. The petitioner is also accused in two other criminal cases in which he is on bail as stated in para 3 of the bail petition. The petitioner is in custody since 05.04.2022.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Patna in connection with Phulwarisharif (Janipur) P.S. Case No. 1098 of 2021, with a condition:-

1. The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable



cause, the bail bond of the petitioner is liable to be cancelled.

The application stands allowed.

(Chandra Prakash Singh, J)

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