

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73101 of 2023

Arising Out of PS. Case No.-305 Year-2022 Thana- MINAPUR District- Muzaffarpur

BIPIN KUMAR, SON OF RAVINDRA PRASAD R/O VILLAGE-
MINAPUR, P.S.- MINAPUR, DISTRICT- MUZAFFARPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandra Shekhar Anand

For the Opposite Party/s : Mr.Uma Shankar Prasad Singh

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 22-11-2023 Heard the parties.

2. The petitioner is in Judicial custody in connection with Sessions Trial No.726 of 2022, arising out of Minapur P.S. Case No. 305 of 2022 instituted under Section 302/34 of I.P.C. lodged on 15.06.2022 by the informant, Mithilesh Sah.

3. As per the prosecution story, upon information, the informant reached shop of the father and found him strangled. Further, Rs.70,000/- was missing from the shop. The allegation in the F.I.R. is that earlier the accused person has threatened his father of dire consequences as he had stopped giving them tea without payment. Accordingly the F.I.R.

4. Learned counsel for the petitioner submits that on petty issues, some hot discussion do take place but that does not mean that for the same a killing will be done by the accused



persons, much less the petitioner herein. The further submission is that there is no eye witness to the occurrence, he do not have criminal antecedent and one Lalu Mahto has since been granted bail by a coordinate Bench of this Court vide order passed in Cr. Misc. No.22699 of 2023 which is part of the record as Annexure- 2 to of the petition.

5. Learned APP opposes the prayer for bail stating therein that earlier they had threatened the informant's father for dire consequences because he has stopped for giving tea.

6. Considering the submissions, put forward by learned counsel for the petitioner as also the fact that there is no eye witness to the occurrence and similarly situated co-accused Lalu Mahto has been granted bail and the petitioner has already remained in custody for more than a year, this Court is inclined to grant him privilege of bail.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned 13th Additional Sessions Judge, Muzaffarpur, in connection with Sessions Trial No.726 of 2022, arising out of Minapur P.S. Case No. 305 of 2022, subject to following conditions :

(i) one of the bailor should be the family member of



the petitioner who shall provide official document to show his
bona fide;

(ii) the petitioner shall appear on each and every date
before the Trial court and failure to do so for two consecutive
dates without plausible reason will entail cancellation of his bail
bond by the Trial court itself,

(iii) the petitioner shall appear before the concerned
police station every fortnight for next six months to mark
attendance;

(iv) the petitioner shall in no way try to induce or
promise or threat the witnesses or tamper with the evidences,
failing which the State shall be at liberty to take steps for
cancellation of the bail bonds:

(v) the petitioner shall desist from committing any
criminal offence again failing which the State shall be at liberty
to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

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