

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72899 of 2022

Arising Out of PS. Case No.-167 Year-2022 Thana- SARMERA District- Nalanda

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Bikram Kumar S/o Lalan Kumar R/v- Chaudharain Chak, P.S.- Belchi,
District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Sudish Kumar
For the Opposite Party/s	:	Mr.Surendra Prasad Singh
For the informant	:	Mr. Kameshwar Singh

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

6 03-07-2023 Heard learned counsel for the petitioner, learned counsel
for the informant and learned APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under Sections 302/34 of the Indian Penal Code.

As per prosecution case, the allegation against some unknown persons is that they have killed the son of the informant and thrown the dead body.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The petitioner is not named in the F.I.R. He has falsely been implicated in this case. The name of the petitioner has been transpired in this case on the basis of confessional statement of co-accused Prince Kumar which has no evidentiary value in the eye of law. During the course of investigation, there is no consistent evidence has come



up to show the complicity of the petitioner in the alleged offence. The petitioner has got no criminal antecedent. It is further submitted that the similarly situated co-accused Sanni Kumar has already been granted bail by other co-ordinate Bench of this Court vide order dated 19.05.2023 passed in Cr. Misc. No. 73533 of 2022. Moreover, the petitioner is languishing in judicial custody since 06.07.2022.

Learned APP appearing for the state and learned counsel for the informant have opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Sarmera P.S. Case No. 167 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nalanda, Bihar Sharif.

(Sunil Kumar Panwar, J)

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