

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74924 of 2022

Arising Out of PS. Case No.-192 Year-2022 Thana- BARURAJ District- Muzaffarpur

Mantosh Kumar Son Of Surendra Bhagat R/O Village- Korigama, P.S.-
Baruraj, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. N.K. Agrawal
	Mr. Raju Kumar Goswami
	Ms. Diksha Kumari
	Mr. Kumar Rajeev
For the Opposite Party/s :	Mr. Raj Ballabh Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 11-07-2023 Heard learned counsel for the petitioner, learned counsel
for the informant 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 Sections 365, 364, 302, 201, 120B/34 of the Indian Penal Code.

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

It is submitted by learned counsel for the petitioner that the petitioner is innocent and he has falsely been implicated in the present case. The F.I.R. has been lodged against unknown persons and the petitioner is not named in the F.I.R. His name has been transpired in this case on the basis of confessional statement of co-



accused Ruby Kumari which has no evidentiary value in the eye law. Nothing incriminating article has been recovered from the possession of the petitioner. Similarly situated other co-accused have already been granted bail by this Bench and by a co-ordinate Bench of this Court vide order dated 16.05.2023 and 20.06.2023 passed in Cr. Misc. No. 12744 of 2023 and Cr. Misc. No. 5955 of 2023 respectively. It is also submitted that petitioner is languishing in judicial custody since 06.09.2022. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

Learned APP appearing for the State and learned counsel for the informant have vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Baruraj P.S. Case No. 192 of 2022 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 J.M. 1st Class, (West) Muzaffarpur.

(Sunil Kumar Panwar, J)

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