

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76613 of 2023

Arising Out of PS. Case No.-94 Year-2022 Thana- FATEHPUR District- Gaya

MRITYUNJAY KUMAR Son of Krishna Nandan Prasad R/o vill - Saidipur,
P.O - Badi, P.s. - Katrisarai, Distt. - Nalanda at Biharsharif

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Abhay Kumar Roy, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 04-12-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Fatehpur P.S. case No. 94 of 2022 instituted for the offences
under Sections 307, 379, 427 and 34 of the Indian Penal Code.

3. As per prosecution case, F.I.R. is against an
unknown person who called the brother of the informant over
mobile phone. It is suspected that the owner of the mobile
number has assaulted and injured the brother of the informant.

4. It has been submitted on behalf of the petitioner that
the petitioner was remanded in this case on 09.05.2023 and has
3 criminal antecedents but he is on bail in all the cases. The
petitioner has falsely been implicated in the present case only



because he happens to be the owner of the mobile number which was used to make phone call. He further submitted that the mobile phone of the petitioner which was used to make phone call was already lost, regarding which he has filed an application before the concerned police station. He further submitted that the petitioner no concern with the alleged occurrence, therefore, no case is made out under Sections 307 and 379 of the I.P.C.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Fatehpur P.S. case No. 94 of 2022.

(Rudra Prakash Mishra, J)

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