

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78462 of 2023

Arising Out of PS. Case No.-24 Year-2022 Thana- MIRGANJ District- Purnia

Nirmal Kumar Son Of Durga Prasad Singh Resident Of Mohalla - Kamasthan
Begna Tola, Ward No.02, P.S. - Maranga (K. Hat), District - Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Nishant Kumar Sinha, Advocate
For the State	:	Mr. Tapeswar Sharma, APP

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

ORAL ORDER

2 07-12-2023 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Mirganj P.S. Case No. 24 of 2022, G.R. No. 691 of 2022
instituted for the offence under Sections 302, 120(B), 34 of the
Indian Penal Code.

3. As per prosecution case, all the FIR named accused
persons including the petitioner with a conspiracy had taken
away the son of the informant to see fair of '*Kalash Yatra*' at *Pir
Mokam Rahta* but on 14-02-2022, the informant got information
that the dead body of her son was lying '*Bishari Asthan*' South
of *Libri* Pool and thereafter she proceeded to the place of
occurrence where she identified the dead body of her son
namely, '*Pintu Kumar*'.



4. It has been submitted on behalf of the petitioner that the petitioner is in custody since 19-07-2023. Petitioner bear no criminal antecedents..

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. Charge sheet has already been submitted. Allegation is general and omnibus. No specific allegation is attributed to the petitioner. Other co-accused have been granted bail by Co-ordinate Bench of this Court passed in Cr. Misc. No. 47121 of 2022 and Cr. Misc. No. 34645 of 2023.

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

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner and claim based on parity, this Court is inclined to grant bail to the petitioner.

8. 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 Mirganj P.S. Case No. 24 of 2022.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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