

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15543 of 2024

Arising Out of PS. Case No.-268 Year-2021 Thana- DHAMDAHA District- Purnia

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Bambam Kumar Mehta @ Bambam Kumar son of Manohar Mehta @ Monu Mehta @ Mano Mehta Village- Phulpur Chhabubasha tola Ps- Puraini Dist- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mrs. Alka Verma, Adv.

For the Opposite Party/s : Mr.Umanath Mishra, APP

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

3 26-04-2024

1. Heard the parties.

2. Petitioner seeks regular bail in connection with Dhamdaha P.S. Case No. 268/ 2021 dated 27.11.2021 registered for the offence(s) punishable under Section(s) 302 read with section 34 of the Indian Penal Code and under section 27 of Arms Act.

3. Mrs. Alka Verma, learned counsel for the petitioner submits that this is second attempt of the petitioner for the relief of regular bail after the petitioner's earlier attempt for the same relief was rejected by this Bench vide order dated 15.03.2023 passed in Cr. Misc. No. 18962/ 2022 and along with petitioner's prayer for bail the prayer of some other accused persons was also rejected by the same order and thereafter three



co-accused persons, namely, Roshan Kumar Paswan @ Roushan Kumar Paswan @ Roshan Kumar, Nitish Kumar @ Nitish Kumar Paswan and co-accused Ranjan Mandal @ Ranjan Kumar, who was not among the petitioners in the petitioner's first bail petition, have been granted bail vide orders passed in Cr. Misc. Nos. 60424/ 2023, 72099/2023 and Cr. Misc. No. 19305 of 2023 respectively and during investigation the petitioner was made accused only on the basis of confessional statement of co-accused, Gopal Kumar and except this there is no material against him. Learned counsel further submits that the petitioner has been languishing in jail since 05.01.2022 and five prosecution's witnesses have already been examined whose depositions' copies have been filed along with this petition as Annexure-3 series and all these witnesses have stated nothing against this petitioner and did not reveal petitioner's direct role in the commission of alleged occurrence. She further submits that petitioner has got no criminal antecedent.

4. Mr. Umanath Mishra, learned APP appearing for the State opposes the bail prayer.

5. Considering the above submissions and mainly taking into account the petitioner's custody period and also, stage of his trial and his clean antecedent, this court is now



inclined to release him on bail. Accordingly, let the petitioner
named-above be released on bail in connection with Dhamdaha
P.S. Case No. 268 of 2021 on furnishing bail bond of
Rs.10,000/-(Ten Thousand) with two sureties of the like amount
each to the satisfaction of the Court concerned.

(Shailendra Singh, J)

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