

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21921 of 2024

Arising Out of PS. Case No.-83 Year-2023 Thana- MARANCHI District- Patna

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Lango Nishad @ Lango Bind @ Vakill Sahni @ Langda son of Bholu Nishad
Village- Purana Kasha Diyara Ps- Maranchi Dist- Patna Petitioner/s
Versus

The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ashok Kumar Kashyap, Adv.
For the Opposite Party/s : Mr.Pramod Kumar Pandey, APP
For the Informant : Mr. Sarvottam Kumar, Adv.

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

4 23-08-2024 Heard the parties.

2. The petitioner is in judicial custody in connection with S. Tr. No. 1173 of 2023 arising out of Maranchi PS Case No. 83 of 2023 registered under sections 302, 386/34 of the IPC and section 27 of the Arms Act, lodged on 01.07.2023 by the informant, Bharat Nishad.

3. As per the prosecution story, the informant alleged that due to fishing dispute, scuffle took place, all the accused including this petitioner started firing and specific allegation is against Vikash Kumar @ Ghutia of opening fire from behind which killed his son, Shrawan Kumar instantly. Accordingly, FIR.

4. Learned counsel for the petitioner submits that a perusal of the FIR would show that the same has been extended to implicate him inasmuch as the specific allegation of opening fire causing instant death of the son of the informant is



attributed to Vikash Kumar @ Ghutia. Though, he concedes that he has got criminal antecedent.

5. Mr. Sarvottam Kumar, learned counsel for the informant submits that the other co-accused who came before this Court in anticipatory bail bearing Cr.Misc. No. 85492/2023 (Chuhwa Nishad), the same was rejected on 29.01.2024. Further, even the bail of Pawan Kumar and Kurara was rejected on 29.11.2023 *vide* Cr. Misc. No. 74207/2023 by a Co-ordinate Bench of this Court.

6. Learned counsel for the petitioner submits that he has already suffered by being in custody since 11.07.2023 (para-11) of the petition.

7. Taking into account the fact that the main allegation is against Vikash Kumar @ Ghutia, though allegation of firing is also against this petitioner, he has remained in custody since 11.07.2023, this Court is inclined to extend the privilege of bail to the petitioner.

8. Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned ADJ- 3rd , Barh, Patna in connection with S. Tr. No. 1173 of 2023 arising out of Maranchi PS Case No. 83 of 2023 subject to



the following conditions:

(i) one of the bailors should be the family member of the petitioner who shall provide official document to show his bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next one year to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

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