

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24212 of 2024

Arising Out of PS. Case No.-176 Year-2022 Thana- PIRPAINTI District- Bhagalpur

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Amit Kumar @ Chhappan Kumar Son of Magey Kumar @ Ganga Kumar @ Manglesh Kumar @ Gaga Kumar Resident of Village- Bakharpur, P.S.- Bakharpur (Pirpainty), District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Harish Kumar, Advocate

For the Opposite Party/s : Mr. Khurshid Anwar, APP

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 21-06-2024 Heard learned counsel for the Petitioner and learned APP for the State.

2. Petitioner seeks regular bail in connection with Pirpainty (Bakharpur) P.S. Case No. 176 of 2022, dated 10.06.2022 registered for the offences punishable under Section 364 read with Section 34 of the Indian Penal Code and chargesheet was submitted for the offences punishable under Sections 364, 120B and 34 of IPC.

3. Mr. Harish Kumar, learned counsel appearing for the petitioner submits that the petitioner is not named in the FIR, he has got no criminal antecedent and one co-accused namely, Sonu Kunwar @ Sonu Kumar Kunwar who is named in the FIR, has been granted bail by a co-ordinate Bench of this Court vide



order dated 08.02.2023 passed in Cr. Misc. No. 48002 of 2022 and the case of this petitioner stands on better footing as he is not named in the FIR and moreover, another co-accused namely, Tuntun Kumar has also been granted bail by this Bench vide order dated 24.03.2023 passed in Cr. Misc. No. 68436 of 2022. Further submission is that the petitioner is a labourer and he was not involved in the alleged crime and there is no direct and indirect evidence against him, except the confessional statement of the co-accused given before the police.

4. Mr. Khurshid Anwar, learned APP appearing for the State though opposes the prayer for bail of the petitioner but fairly accepts that the case of the petitioner stands on better footing from the co-accused Sonu Kunwar @ Sonu Kumar Kunwar as the petitioner is not named in the FIR.

5. Considering the above submissions and mainly taking into account petitioner's custody period and his fair antecedent as well as the privilege of bail having been granted to above-mentioned two co-accused persons by this Bench as well as co-ordinate Bench of this Court, this Court is inclined to accept the prayer for bail of the petitioner. Accordingly, let the petitioner named-above be enlarged on bail on furnishing of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like



amount each to the satisfaction of the concerned Court in connection with Pirpainti (Bakharpur) P.S. Case No. 176 of 2022.

(Shailendra Singh, J)

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