

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33257 of 2024

Arising Out of PS. Case No.-321 Year-2023 Thana- NEMDARGANJ District- Nawada

Prakash Kumar Son Of Late Radhe Mahto R/O Vill- Bhagwanpur, P.S-
Mufasil, Distt-Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Sinha, Adv.

For the Opposite Party/s : Mr. Ajay Kumar Jha, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

3 12-07-2024 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner seeks bail in connection with Nemdarganj PS Case No. 321 of 2023 instituted for the offences punishable under Sections 302/34 of the Indian Penal Code.

3. As per the prosecution case, accused persons murdered the father of the informant.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence and has falsely been implicated in this case. It is stated that the FIR has been lodged against unknown and his name transpired on the basis of suspicion. Chargesheet has already been submitted in this case. It is next submitted that one of the co-accused has already been granted bail by the Co-ordinate Bench of this Court vide order dated



15.03.2024 passed in Cr. Misc. No. 16364 of 2024. Petitioner has got no criminal antecedent as stated in para 3 of the petition and is in custody since 14.11.2023.

5. Learned APP opposes the prayer for bail.

6. From perusal of the FIR and the impugned order of the learned District and Sessions Judge, Nawada dated 09.01.2024, it appears that petitioner is not named in the FIR and his name transpired in this case during the course of investigation on suspicion basis and the investigation has already been concluded as submitted by learned counsel for the petitioner, accordingly the prayer for bail of the petitioner is allowed. Let the petitioner above named 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 the learned C.J.M, Nawada in connection with Nemdarganj PS Case No. 321 of 2023.

(Ramesh Chand Malviya, J)

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