

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41206 of 2024

Arising Out of PS. Case No.-980 Year-2023 Thana- AGAMKUAN District- Patna

Sintu Kumar @ Fatal son of Shiv Balak Mahto Vill- Chhoti Pahari Ps-
Agamkuan Dist- Patna

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Krishnakant Upadhyay, Advocate

For the Opposite Party/s : Mr.Satyendra Narayan Singh,APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 18-09-2024 Heard learned counsel appearing on behalf of the

petitioner and learned A.P.P. for the State.

2. Petitioner seeks bail in connection with

Agamkuan P.S. Case No. 980 of 2023, S.T. No. 228/2024

registered for the offences under Sections 302/120B of the

Indian Penal Code.

3. The petitioner is named in the First Information

Report and is in custody since 08.10.2023.

4. Allegation against the petitioner is to commit

murder of son of the informant alongwith other named co-

accused persons by inflicting knife injury, where alleged

occurrence took place during picnic party.

5. It is submitted by learned counsel appearing on



behalf of the petitioner that allegation *qua* physical assault is very much general and omnibus against the petitioner, where specific allegation to give fatal knife injury is available against co-accused Ajeet Kumar @ Bholi Kumar. It is pointed out that similarly situated co-accused persons namely, Lav Kumar and Sonu Kumar @ Saimand have already granted bail by learned coordinate Benches of this Court through Cr. Misc. No. 54129 of 2024 dated 29.08.2024 and Cr. Misc. No. 38735 of 2024 dated 26.07.2024 respectively, therefore, on the ground of parity, this petitioner deserves to be enlarged on bail. While concluding argument, it is submitted that investigation of this case is completed and, as such, there is no chance of tampering with the evidence and, moreover, this petitioner is a man of clean antecedent.

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

7. Considering the facts and circumstances as the allegation is appearing very much general and omnibus against this petitioner, where specific allegation as to cause



fatal knife injury is available against co-accused Ajeet Kumar @ Bholi Kumar, coupled with the fact that petitioner is in custody since 08.10.2023, where investigation of this case is already completed, accordingly, above-named petitioner is directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of learned A.D.J.-IV, Patna City/concerned court, in connection with Agamkuan P.S. Case No. 980 of 2023, S.T. No. 228/2024, subject to the condition as laid down under Section 437 (3) Cr.P.C/Section 480(3) of the Bhartiya Nyaya Suraksha Sanhita (in short "B.N.S.S.").

(Chandra Shekhar Jha, J.)

Rajeev/-

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