

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63462 of 2024

Arising Out of PS. Case No.-137 Year-2023 Thana- BYPASS District- Patna

Shahil Kumar @ Padpuri son of Late Umesh Paswan @ Gundwa village-
Karmali chak, near Devi Sthan, Ps- bypass, Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhimanyu Deo, Adv.

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

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 19-09-2024 Heard learned counsel for the petitioner and learned A.P.P.
for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Bypass P.S. Case No. 137 of 2023 dated 17.03.2023 registered for the offences punishable u/s 302 and 201 read with Section 34 of the Indian Penal Code.

3. As per the prosecution case, some unknown miscreants are alleged to have assaulted the deceased (informant's brother) by means of lathi, stick and iron rod, as a result of which he died.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is general and omnibus allegation against this petitioner. The petitioner is not named in the FIR. The name of the petitioner has sprung up in this case in the confessional statement of Chotu Kumar



and Sipak Kumar. Nothing incriminating material has been recovered from the conscious possession of the petitioner. The similarly situated co-accused has already been granted bail by this court *vide* order dated 04.08.2023 passed in Cr. Misc. No. 49099 of 2023. The petitioner has no criminal antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 23.03.2023.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Patna City in connection with Bypass P.S. Case No. 137 of 2023.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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