

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71671 of 2023

Arising Out of PS. Case No.-50 Year-2010 Thana- GURUA District- Gaya

Kamlesh Bhuiyan @ Kamlesh Manjhi, S/O Late Ramvarat Bhuiyan, Resident of Village - Tekka Bigha, P.s. - Salaiya, District- Aurangabad (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Javed Jafar Khan, Advocate

For the Opposite Party/s : Mr. Ram Sevak Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

3 06-02-2024 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks regular bail in connection with Sessions Trial No. 153 of 2023 arising out of Gurua P.S. Case No. 50 of 2010 for the offence registered under Sections 302, 379/34 of the I.P.C.

3. As per allegation in the FIR, the elder son of the informant has been killed by some unknown persons and they also took away the mobile phone and Rs. 1.2 lacs in cash from his son.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in the present case only on the basis of suspicion. There is no recovery made from conscious possession of the petitioner. He has further



submitted that similarly situated co-accused has already been granted regular bail by coordinate Bench of this Court vide order dated 20.07.2021 passed in Cr. Misc. No. 10087 of 2021. Charge-sheet has already been submitted and there is no chance of absconding or tampering with the evidence. Petitioner is in jail custody since 15.03.2023. Petitioner has no criminal antecedent.

5. Learned counsel appearing on behalf of the State opposes the prayer for grant of bail to the petitioner.

6. Considering the submissions on behalf of the parties and the facts and circumstances of the case, let the petitioner, named above, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned concerned court below in Gurua P.S. Case No. 50 of 2010.

(Sunil Dutta Mishra, J)

khushbu/-

U		T	
---	--	---	--

