

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75102 of 2023

Arising Out of PS. Case No.-122 Year-2022 Thana- AGAMKUAN District- Patna

Bhola Kumar @ Amit Kumar Son Of Late Jatan Mahto Resident Of Village-
Kumhar Toli, Chhoti Pahari Ps - Agam Kuan, Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Udai Shankar Singh

For the Opposite Party/s : Mr.Jharkhandi Upadhyay

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 16-01-2024 Heard learned counsel for the petitioner,

learned counsel for the informant and learned APP for

the State.

The petitioner has filed the instant application

for grant of regular bail in a case registered for the

offences punishable under Sections 302, 120(B)/34 of

the Indian Penal Code and Section 27 of Arms Act.

As per allegation in the FIR, there is ancestral

land beside the house of informant, which his neighbor

wanted to capture. When the informant's brother

objected, he was threatened of dire consequences. It is

further alleged that on the order of co-accused Balram



singh Mandal @ Balram Kumar, one Govind Kumar under conspiracy with the petitioner along with other co-accused persons murdered the informant's brother.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and he has falsely been implicated in the present case. The specific accusation of firing is not levelled against the petitioner rather the allegation against the petitioner is general and omnibus. It is further submitted that charge sheet has been submitted in this case. Petitioner is languishing in judicial custody since 18.08.2023. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. Moreover, similarly situated co-accused Raja @ Raja Kumar has been granted bail vide order dated 20.12.2023, passed in Cr. Misc. No. 81881 of 2023 by this Court.

Learned APP appearing for the State and learned counsel for the informant have vehemently opposed the prayer for Bail.



Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Agamkuan P.S. Case No. 122 of 2022 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District Judge I, Patna City, Patna.

Learned Trial Court is directed to expedite the trial.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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