

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.76768 of 2023**

Arising Out of PS. Case No.-466 Year-2023 Thana- BELAGANJ District- Gaya

Prashant Kumar @ Mantu Son Of Sri Ram Thakur Resident Of Mohalla- Jail  
Press Colony (Shakti Nagar), P.S.- Rampur, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                      |   |                                        |
|----------------------|---|----------------------------------------|
| For the Petitioner/s | : | Mr. Ramakant Sharma<br>Mr. Bipin Kumar |
| For the State        | : | Mr. Uma Shankar Prasad Singh           |
| For the Informant    | : | Mr. Rajendra Narayan                   |

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
**ORAL ORDER**

5      06-02-2024                      Heard learned counsel for the petitioner and learned  
counsel for the informant and learned APP for the State. Perused  
the case diary.

2. The petitioner has prayed for regular bail in a case  
instituted for the offence under Sections 307, 326, 302  
120(b)/34 of the Indian Penal Code and Section 27 of the Arms  
Act.

3. As per prosecution case, the informant alleged that  
her son was married to one Sunita Kumari and after the  
marriage her son and her daughter-in-law started assaulting the  
informant and another son Dipu. After marriage she started  
living in her maik during which she got a computer operator



job in Civil Line, Gaya. In the fear informant and her son Ashutosh stayed at Gaya, when her younger son Dipu departed for Pali by his bike on 17.07.2023 and for killing Dipu contract killer was already planted in the way and when her son reached near petrol pump he was shot by unknown persons due to which he fainted on the ground and later on he died.

4. It is submitted by learned counsel for the petitioner that petitioner is innocent and has committed no offence. He has been falsely implicated in this case. Petitioner is not named in the FIR. There is no any eye witness of this case and no incriminating article has been seized from possession of the petitioner. His name transpired in the confessional statement of co-accused Manoranjan Sharma before the police which has no evidentiary value in the eye of law. It is further submitted that on perusal of the entire confession it is apparent that all of the act has been executed by named accused Girdhar Kumar. There is no specific overt act against the petitioner. The other co-accused Manoranjan Sharma @ Manoranjan Kumar has already been enlarged on bail by this Bench vide order dated 04.12.2023 passed in Cr. Misc. No. 76892 of 2023. Moreover, petitioner is languishing in judicial custody since 04.08.2023.

5. The application for bail is opposed by learned APP



for the State and learned counsel for the informant.

6. Having heard learned counsel for the parties and considering 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 on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Gaya in connection with Belaganj P.S. Case No. 466 of 2023.

**(Sunil Kumar Panwar, J)**

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