

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83659 of 2023

Arising Out of PS. Case No.-223 Year-2022 Thana- BHAGWANPUR District- Kaimur
(Bhabua)

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Nilesh Patel S/O Ashok Singh @ Ashok Kumar Singh Resident Of Village-
Nadula (Oragaw), P.S.- Bhagwanpur, District- Kaimur (Bhabua)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bhaskar Shankar
For the Opposite Party/s : Mr.Anita Kumari

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 12-01-2024 This is the second attempt of the petitioner for grant
of regular bail as earlier the bail application of the petitioner
was rejected vide order dated 18.05.2023 passed in Cr. Misc.
No. 24081 of 2023.

2. Heard learned counsel for the petitioner and
learned APP for the State.

3. The petitioner seeks bail in connection with
Bhagwanpur P.S. Case No. 223 of 2022 registered for the
offence under Section 363 of the Indian Penal Code and later
Sections 324, 302, 201 and 34 of the Indian Penal Code were
also added.

4. As per the prosecution case, the petitioner along
with other four accused persons have participated in brutal



killing of the deceased.

5. It has been submitted by the learned counsel for the petitioner that the petitioner is innocent and he has been named only on the basis of suspicion as the petitioner and others were last seen with the deceased.

6. It has further been submitted by the learned counsel for the petitioner that the petitioner is in custody since 21.10.2022.

7. It has also been submitted by the learned counsel for the petitioner that other co-accused persons namely Sonu Patel, Yogendra Patel, Ganesh Patel and Pradumman Patel have already been granted bail by this Court vide orders dated 18.07.2023 and 11.07.2023 passed in Cr. Misc. No. 25155 of 2023 and Cr. Misc. No. 13962 of 2023 respectively and the trial will take time so the petitioner may be granted bail.

8. Learned APP for the State vehemently opposed the prayer for bail.

9. Considering the aforesaid facts, the period of custody and also considering the grounds of bail to the other co-accused persons, this application is allowed.

10. Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand)



with two sureties of the like amount each to the satisfaction of the learned ACJM-V in connection with Bhagwanpur P.S. Case No. 223 of 2022.

11. As a condition of this order, the petitioner, being released on bail is directed to co-operate in the trial.

(Sandeep Kumar, J)

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