

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.659 of 2024**

Arising Out of PS. Case No.-22 Year-2023 Thana- MUZAFFARPUR (R.T) District-
Muzaffarpur

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Avinash Kumar S/O Mukesh Kumar Thakur Resident Of Mahanth Maniyari,
Ps. Maniyari Dist. Muzaffarpur.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manoj Singh
For the Opposite Party/s : Mr.Shyameshwar Dayal

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 23-01-2024 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, 201/34 of the

Indian Penal Code.

As per allegation in the FIR, the petitioner along

with other co-accused perosns are alleged to have killed

the deceased and thrown the dead body on railway track

in order to conceal the evidence



It is submitted by learned counsel for the petitioner that the petitioner is innocent and he has falsely been implicated in the present case. Neither the petitioner was apprehended on spot nor anything incriminating has been recovered from his conscious possession. There is no eye witness of the alleged offence. The name of petitioner sprang up in this case only on the basis of call details of the mobile of petitioner and deceased. Moreover, the petitioner is languishing in judicial custody since 15.06.2023. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. Similarly situated co-accused, namely, Riya Kumari @ Kalpna Singh has been granted bail vide order dated 14.09.2023, passed in Cr. Misc. No. 47340 of 2023 by co-ordinate Bench of 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 **after framing of charge, if not framed**, in connection with Rail Muzaffarpur P.S. Case No. 22 of 2023 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 Sessions Judge II, Muzaffarpur.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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