

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89166 of 2024

Arising Out of PS. Case No.-77 Year-2024 Thana- BARIYARPUR District- Munger

Bipin Kumar, aged about 32 years (Male), Son of Chamaklall Mandal,
Resident of Village- Pairu Mandal Tola (Bariyarpur), P.S.- Bariyarpur, District
- Munger.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Amrendra Kumar Jha, Advocate
For the Opposite Party : Mr. Umeshanand Pandit, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 22-04-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with
Bariyarpur P.S. Case No. 77 of 2024 dated 17.10.2024
registered for the offences punishable under Sections 363 and
364 of the I.P.C. Later on, Sections 302 and 201 of the I.P.C.
were also added.

3. As per the prosecution case, on 06.04.2024 at about
8.00 P.M., the brother of the informant, namely, Chhotu Kumar
was conversing with Ruby Devi in his field situated in Diyara
for plucking *Parwal Vegetable*. In the meantime, the co-accused
Prince Kumar, Mithun Kumar, Dilkhush Kumar and Pappu
Kumar assaulted Chhotu Kumar with lathi and danda and while



assaulting took him towards the Ganga river. After some times, Ruby Devi informed the informant that the aforesaid accused persons took Chhotu Kumar towards the Ganga river by assaulting him with lathi-danda. The informant alongwith his family members searched for Chhotu Kumar but he was not found. The informant came to know by villagers during night of incident that Gulshan Kumar had also assaulted Chhotu Kumar alongwith other accused persons. The informant suspected that all the accused persons disappeared Chhotu Kumar with an intention to kill him.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is submitted that the petitioner is not named in the F.I.R. His name has surfaced in the present case on the basis of the confessional statement of the co-accused Prince Kumar which has got no evidentiary value in the eyes of law. There is general and omnibus allegation against the petitioner. It is submitted that the other co-accused person, namely, Gulshan Kumar @ Chetak Mandal has already been granted bail by the Co-ordinate Bench of this Court vide Cr. Misc. No. 88266 of 2024 under order dated 28.01.2025. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail petition. He is



in custody in this case since 23.08.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned J.M. Ist Class, Munger in connection with Bariyarpur P.S. Case No. 77 of 2024 with further condition:-

(I) The petitioner is directed to remain physically present before the learned court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner are liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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