

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21415 of 2021

Arising Out of PS. Case No.-213 Year-2019 Thana- ALAMNAGAR District- Madhepura

BANARSI SINGH SON OF LATE SHANKAR SINGH Resident of Village -
Pancham Basa, P.S.- Alam Nagar, Distt.- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Viveka Nand Singh, Advocate.

For the Opposite Party/s : Mr. Uma Shankar Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 10-08-2021 Heard learned counsel for the petitioner and learned
APP for the State through virtual Court proceedings.

Learned counsel for the petitioner undertakes to remove the defects within four weeks of resumption of normal court proceeding. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioner seeks bail in a case registered for the offence punishable under Section 302/34 of the Indian Penal Code and Section 27 of the Arms Act.

While the husband of the informant was sleeping on the Machan at his door, 6-7 miscreants are said to have come and shot dead him. The informant has identified four of them



out of six.

It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place. He is quite innocent and has been falsely implicated in this case on the confessional statement of co-accused. He is neither named in the F.I.R. nor was apprehended on the spot. No incriminating article has been recovered from his conscious physical possession. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. There is nothing in the record indicating the complicity of the petitioner in the occurrence barring the confessional statement of co-accused, Pintu Singh which has no evidentiary value in the eye of law. Co-accused, namely, Botal Singh, who has been identified by the informant, has been enlarged on bail by a co-ordinate bench of this court vide order dated 04.06.2020 passed in Cr. Misc. No. 4024 of 2020. The petitioner has no criminal antecedent and has been languishing in custody since 22.11.2019.

Learned APP for the State opposed the bail petition.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two



sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Alamnagar P.S. Case No.213 of 2019.

(Anjani Kumar Sharan, J)

Trivedi/-

U		T	
---	--	---	--

