

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34574 of 2020

Arising Out of PS. Case No.-103 Year-2018 Thana- BIKRAM District- Patna

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BALMUKUND KUMAR SON OF RAM NIWAS SHARMA @ RAM
NARAYAN SHARMA RESIDENT OF VILLAGE JAFARA
BHAGWANPUR, P.S. - NAUBATPUR, DISTRICT – PATNA.

... .. Petitioner.

Versus

The State of Bihar

... .. Opposite Party.

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Appearance :

For the Petitioner	:	Mr. Mithilesh Kr. Arya, Advocate.
For the State	:	Ms. Anita Kumari, A.P.P.
For the Informant	:	Mr. Shashank Shekhar, Advocate.

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

6 26-07-2021 Heard learned counsel for the petitioner and the

learned A.P.P. for the State as also the learned counsel for the

informant, through Video Conferencing.

The petitioner apprehends his arrest in connection
with Bikram P.S. Case No.103 of 2018/G.R. No.1637 of 2018
registered under Section 302 of the Indian Penal Code.

The accusation is that on 11.04.2018, in daily routine
manner, Dr. Kumar Birendra Nath, the father of the informant
Kumar Rahul, had gone towards field from his house but he did
not return. When the informant went to search his father at the
pond, then he found his father dead there and the blood had
fallen from his mouth and ear but there was no external injury



on his dead body.

Learned counsel for the petitioner submits that, in fact, the petitioner is the Bhagina of Sharad Kumar, the Pattidar of the informant, due to that reason, later on, in course of investigation, on the basis of the information received from the Spy, the petitioner has falsely been implicated in this case. It has also come, in course of investigation, that the wife of the deceased had given statement before the police that earlier, this petitioner along with his maternal uncle Sharad Kumar had given threatening to the deceased. The petitioner has no criminal antecedent.

Learned A.P.P. for the State submits that only suspicion has been raised against the petitioner and it has come, in course of investigation, that spy has disclosed the name of the petitioner being the Bhagina of Sharad Kumar, the Pattidar of the informant, and having his hand in the alleged occurrence.

Having considered the facts and the circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender by him within six weeks from today, be enlarged on bail on his furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial



Magistrate-VI, Danapur, Patna, in connection with Bikram P.S.
Case No.103 of 2018/G.R. No.1637 of 2018, subject to the
conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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