

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6606 of 2021

Arising Out of PS. Case No.-432 Year-2019 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

Om Prakash Son of Ramashray Singh Resident of Village - Baghi P.S.
Samastipur Muffasil Dist. Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjan Kumar, Adv.

For the Opposite Party/s : Mr. Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 29-06-2021 Heard learned counsel for the petitioner and learned
A.P.P for the State through video conferencing.

The petitioner has filed the instant application for grant of regular bail in connection with Samastipur Mufassil P.S. Case no. 432 of 2019 registered under sections 302 and 120B of the Indian Penal Code.

As per allegation in the F.I.R., while the husband and other family members of the informant were sleeping at night, it is stated that at about 3 am in the morning, unknown persons with sharp edged weapon assaulted and killed the informant's husband.

It is submitted by learned counsel for the petitioner that the F.I.R. was registered against unknown. The name of the petitioner transpired in course of investigation in the restatement of the informant as also her son, wherein they stated that the persons who assaulted the deceased were three accused persons



including the petitioner herein.

It is submitted by learned counsel for the petitioner that no reasonable explanation has been given by the informant and the other witness for not having named the petitioner in the F.I.R. Even as per their restatement the allegations are general and omnibus in nature, the petitioner is in custody 15.3.2020, has no criminal antecedent and investigation in the case has concluded.

The application for bail is opposed by learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the submissions made on behalf of the petitioner together with the petitioner have remained in custody for 1 year 3 months, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with Samastipur Mufassil P.S. Case no. 432 of 2019 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 Chief Judicial Magistrate-V, Samastipur.

(Partha Sarthy, J)

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