

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5185 of 2022

Arising Out of PS. Case No.-41 Year-2020 Thana- TISIAUTA District- Vaishali

Jitendra Kumar Son Of Late Upendra Singh Resident Of Village- Pindauta,
P.S.- Tisiauta, District- Vaishali

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shyameshwar Kumar Singh, Advocate
For the Opposite Party/s : Mr. Pawan Kumar Chaurasia, A.P.P.

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 27-07-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Let the defect (s), as pointed out by the office, be
removed within a period of four weeks from today.

The petitioner seeks bail in connection with a case
registered for the offences punishable under Sections 302 and 34
of the Indian Penal Code.

The prosecution case, in short, is that the informant
namely, Siya Ram Singh maternal uncle (Mama) of the
deceased, received a call, on which, he was informed that his
nephew namely, Kanhaiya Kumar (deceased) has been
murdered. Thereafter, he reached there and saw the dead body
of his nephew. It has further been alleged that there was a land
dispute between two brothers i.e. between the petitioner and the
deceased due to which, the petitioner murdered his nephew.



Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case due to enmity and village politics. It is further stated that there is no eye-witness in this case and petitioner's name transpired in this case only on the basis of suspicion. Further, it is submitted that no material on record suggests that there is no reasonable ground for believing that the allegations against the petitioner are true. Petitioner is in custody since 16.05.2020, is a person with clean antecedent and charge-sheet has been submitted in the case.

Learned A.P.P. for the State opposes the prayer for regular bail of the petitioner.

Considering the facts and circumstances of this case, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) only with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Vaishali at Hajipur in connection with Tisiauta P.S. Case No. 41 of 2020.

(Khatim Reza, J)

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