

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35015 of 2022

Arising Out of PS. Case No.-171 Year-2020 Thana- MUZAFFARPUR SADAR District-
Muzaffarpur

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HEMANT KUMAR SON OF SUNIL SINGH R/O VILLAGE- AHIYAPUR
TOLA DHARMPUR, P.S.- SAHEBGANJ, DISTRICT- MUZAFFARPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Yashraj Bardhan, Adv.

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

Mrs. Rupa Kumari, Adv.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 27-09-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioner is directed to remove
the defects within four weeks.

The petitioner apprehends his arrest in a case registered
for the offence punishable u/s 302/34 IPC and 27 Arms Act.

Allegation against the petitioner, as per the F.I.R. is that
he along with other accused persons have murdered the son of
informant.

It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has committed no offence. He
has been falsely implicated in this case only on suspicion. No
such occurrence, in the manner as alleged, has ever taken place.
The allegation leveled against the petitioner is not specific



rather general and omnibus in nature. It is submitted that the final form has been filed by the police in Sahebganj P.S. Case No.431/2019 (Annexure-1), which was instituted against the petitioner and others by brother of the deceased earlier. It is further submitted that there is no eye witness to the alleged occurrence and similarly situated co-accused namely Chandan Kumar has been granted anticipatory bail by a co-ordinate Bench of this Court vide Cr. Misc. No.6239 of 2021, dated 09.08.2021. Petitioner has one criminal antecedent.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, 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 Sadar P.S. Case No.171/2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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