

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46886 of 2022

Arising Out of PS. Case No.-58 Year-2020 Thana- AMARPUR District- Banka

=====

Birendra Singh S/o Late Manohar Prasad Singh Resident of Village-
Kushmaha, P.S.- Amarpur, District- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner : Mr. Krishna Chandra, Advocate
For the State : Mr. Dr. Ajeet Kumar, APP

=====

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 22-12-2022 Heard learned counsel appearing on behalf of the

petitioner and learned APP appearing on behalf of the State.

The petitioner seeks bail in connection with Amarpur
P.S. Case No.58 of 2020 registered for the offence under Sec-
tions 120B, 302, 328 and 34 of the Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in
custody since 30.05.2022.

The allegation against the petitioner is to commit
murder of the husband of informant alongwith other co-accused
persons by administering poison, while participating in picnic.

Learned counsel appearing on behalf of the petitioner
submitted that petitioner has been implicated in the present case
only due to suspicion, as he participated in picnic with de-
ceased.It is also submitted that present F.I.R. was lodged after



delay of 4 days without having any just explanation. It is also submitted that similarly situated co-accused has already been granted bail by one of the learned Co-ordinate bench of this Court through Cr. Misc. No.28547 of 2020, vide order dated 22.12.2020. It is submitted that petitioner found involved in one more criminal case, where he is on bail. It is also submitted that no incriminating material recovered/surfaced during the course of investigation which may connect this petitioner, *prima facie*, with the present occurrence. While concluding the argument, investigation of this case has been completed, for which, charge-sheet has already been submitted, as such, there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State, opposes the prayer for bail.

In view of the facts and circumstances as mentioned above as save and except suspicion nothing surfaced during the course of investigation to connect this petitioner with the present occurrence coupled with the fact charge-sheet has already been submitted, where petitioner is in custody since 30.05.2022, let above named petitioner is directed to be released on bail in connection with Amarpur P.S. Case No.58 of 2020 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with



two sureties of the like amount each to the satisfaction of Chief
Judicial Magistrate, Banka/concerned court, subject to the con-
ditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

S.Tripathi/-

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

