

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.2915 of 2022**

Arising Out of PS. Case No.-98 Year-2019 Thana- AHIYAPUR District- Muzaffarpur

PRANJAL KUMAR Son of Tripurari Sharan Singh Resident of Village -  
Bathnaha, P.S. - Bathnaha, Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Ashhar Mustafa, Advocate

For the Opposite Party/s : Mr.Jharkhandi Upadhyay, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA**  
**ORAL ORDER**

4      02-08-2022                      Heard learned counsel appearing on behalf of the  
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period  
of four weeks from today.

The petitioner seeks bail in connection with Ahiyapur  
P.S. Case No. 98 of 2019 registered for the offence under  
Sections 324, 326, 307, 302 and 120(B) of the Indian Penal  
Code and Section 27 of the Arms Act.

The accused/petitioner is not named in the F.I.R. and  
is in custody since 24.08.2021.

The allegation against the petitioner is to commit  
murder of the husband of the informant along with other co-  
accused persons by using firearms.

Learned counsel appearing on behalf of the petitioner



submitted that petitioner is not named in the FIR and remanded in present case on the basis of his confession, while apprehended in Mahindwara P.S. Case No. 14 of 2021. It is submitted that informant is the eye-witness of the occurrence, where she was specially identified accused persons, despite of the fact petitioner was not named in FIR, created a doubt as regard to involvement of petitioner in the occurrence. It is also submitted that in pursuance of self-confession of the petitioner, nothing surfaced during course of investigation, which may connect petitioner, *prima facie*, with present set of occurrence, moreover, investigation of this case has been completed, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP, while opposing the prayer of bail, fairly conceded that petitioner is not named in FIR.

Considering the facts and circumstances as mentioned above, as nothing incriminating surfaced/recovered during course of investigation which may connect petitioner, *prima facie*, with present set of occurrence coupled with the fact that charge-sheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Ahiyapur P.S. Case No. 98 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 learned C.J.M, Muzaffarpur/concerned court, subject to the following conditions:

*“(i) Accused/Petitioner shall cooperate in the trial and shall be physically present on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court, only on medical ground of the petitioner duly supported by the documents.*

*(ii) That one of the bailors shall be Bharti Kumari, who is the mother of the petitioner and deponent of the present bail petition.”*

**(Chandra Shekhar Jha, J)**

R.S.Sen/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

