

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7078 of 2023

Arising Out of PS. Case No.-566 Year-2022 Thana- KOTWALI District- Munger

Shiv Narayan Singh @ Kulsum, Son of Late Bihari Singh, Resident of
Village/Muhalla- Shashtri Chowk Neelam Cinema, P.S.- Kotwali, District-
Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjiv Kumar Singh
For the Opposite Party/s : Mr.Prem Kumar Jha

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 17-05-2023 Heard learned counsel for the petitioner and
learned APP for the State.

The petitioner has prayed for regular bail in a case
registered for the offence punishable under Sections 406,
302/34 of the Indian Penal Code.

Allegation against the petitioner is that he
alongwith other co-accused threw the deceased Md. Gufran,
the elder brother of the informant, from the roof and during
course of treatment he was declared dead by the doctor.

Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He has



falsely been implicated in this case merely on the basis of suspicion. The informant is not an eye witness of the alleged occurrence. The petitioner is an old man aged out sixty years and has been suffering from paralysis. Petitioner has no any concern with Krishan except landlord and tenant. Nothing incriminating article has been recovered from the conscious possession of the petitioner. He has got no criminal antecedent. It is further submitted similarly situated co-accused Krishna Mohan Prasad Sah @ Krishna Mohan Prasad @ Krishna has already been granted bail by a co-ordinate Bench of this Court vide order dated 10.05.2023 passed in Cr. Misc. No. 4135 of 2023. Moreover, the petitioner is languishing in judicial custody since 13.11.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Kotwali



P.S. Case No. 566 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Munger.

(Sunil Kumar Panwar, J)

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