

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10594 of 2023

Arising Out of PS. Case No.-597 Year-2022 Thana- MAHUA District- Vaishali

1. Rubi Devi Wife Of Jai Prakash Singh R/O Village- Gauspur Majahid, P.S.- Mahua, District- Vaishali At Hajipur
2. Munni Devi Wife Of Pappu Kumar Singh R/O Village- Gauspur Majahid, P.S.- Mahua, District- Vaishali At Hajipur
3. Pappu Kumar Singh Son Of Bhajju Singh R/O Village- Gauspur Majahid, P.S.- Mahua, District- Vaishali At Hajipur

... .. Petitioner/s

Versus

The State Of The Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumari Vandana

For the Opposite Party/s : Mr.Pramod Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 19-06-2023 Earlier, the petitioner No-1 and 2 have already been granted regular bail by this Court vide order dated 19.04.2023 passed in Cr. Misc. No. 10594 of 2023.

Today, learned counsel on behalf of the petitioner is pressing this case only for petitioner No-3.

Heard learned counsel for the petitioner No-3 and learned APP for the State.

The petitioner No-3 has prayed for regular bail in a case registered for the offence punishable under sections 302/34 of the Indian Penal Code.



As per FIR, the informant alleged that the accused persons including the petitioner No-3 surrounded the informant's son near a temple and on order of the petitioner No-3, co-accused, namely Munna Kumar inflicted knife blow on the neck of the informant's son due to which he sustained injury. Thereafter, his son was taken to hospital where doctor declared him dead.

Learned counsel for the petitioner submits that the petitioner No-3 is innocent and has committed no offence. He was merely an order giver and due to previous dispute he has falsely been implicated in this case. There is no specific allegation of assaulting attributed against the petitioner rather the specific allegation of knife blow is against co-accused. It is further submitted that the petitioner No-3 has got no criminal antecedent. Moreover, he is languishing in judicial custody since 20.09.2022.

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, this court is inclined to enlarge the petitioner



No-3 on bail. The above named petitioner No-3 is directed to be released on bail in connection with Mahua P.S. Case No. 597 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 Judicial Magistrate, Ist Class, Vaishali at Hajipur.

(Sunil Kumar Panwar, J)

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