

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27793 of 2023

Arising Out of PS. Case No.-29 Year-2022 Thana- SINGHESHWAR District- Madhepura

K. B. Modi @ K. V .MODI Son Of Mahendra Modi Resident Of Village
-PATORI Ward No 09, Singheshwar, Distt- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rupesh Kumar

For the Opposite Party/s : Mr.Yogendra Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 19-09-2023 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 302, 120B, 379, 34 of the Indian Penal Code and Section 27 of the Arms Act.

As per FIR, the allegation against accused persons including the petitioner is that they committed murder of the sister of the informant due to land dispute.

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 FIR has been lodged after delay of two days without giving any cogent reason and the informant is not an eye witness to the alleged occurrence. There is no specific overt-act of commission of murder attributed against the petitioner and except suspicion nothing consistent evidence has been found against the petitioner. It is further submitted that petitioner is languishing in judicial custody since 03.01.2023.

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 on bail. The above named petitioner is directed to be released on bail in connection with Singheshwar P.S. Case No. 29 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 Chief Judicial
Magistrate, Madhepura.

(Sunil Kumar Panwar, J)

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