

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26844 of 2023

Arising Out of PS. Case No.-15 Year-2023 Thana- RISIYAP District- Aurangabad

Sanjeet Kumar Son of Dawarika Bhagat Resident of Village - Bhuwapur, P.S.-
Jamhor, District - Aurangabad (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailesh Kumar Singh

For the Opposite Party/s : Mr. Mithlesh Kumar Khare

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 14-07-2023 Heard learned counsel for the petitioner and learned
counsel for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Section 302/34 of the Indian Penal Code.

3. Prosecution case in brief is that on 14.01.2023 at around 2.00 pm the son of informant went out from his house with this friend, but on the same date at 2.00 am in the night, informant got information from the local *Chowkidar* that his son died in a road accident. Later on, informant came to know that this petitioner along with co-accused persons under conspiracy killed his son. Informant suspect that petitioner along with others committed murder of his son.

4. It is submitted that informant is not eye-witness of the occurrence. The occurrence took place on 14.01.2023, but



the FIR has been lodged on 18.01.2023. As a matter of fact, the son of informant died due to accident which is also corroborated by the postmortem report. The doctor has opined that the deceased got accidental injury due to which he died. Save and except suspicion there is no material against this petitioner. Petitioner claims clean antecedents.

5. Counsel for informant however vehemently opposed the prayer for bail and submitted that petitioner is named in the FIR and there is allegation that he along with others killed the son of informant.

6. Considering the facts aforesaid, the petitioner above-named, in the event of his arrest/surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Aurangabad in connection with Risiyap P.S. Case No. 15 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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