

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27585 of 2022

Arising Out of PS. Case No.-60 Year-2021 Thana- ADHAOURA District- Kaimur (Bhabua)

MURARI SINGH SON OF KEDAR SINGH @ KEDARNATH SINGH R/O
VILLAGE- RADHAKHAND, P.S.- BHAGWANPUR, DISTRICT- KAIMUR
(BHABUA)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Prasad Singh, Sr. Advocate
Mr. Bhaskar Shankar, Advocate
For the Opposite Party/s : Mr. Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 17-01-2023 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 302 and 34 of the Indian Penal Code and section 27 of the Arms Act.

As per the prosecution case, it is stated by the informant that his son who left the house on 16.12.2021 after taking food did not return. On 17.12.2021, at 3 a.m., he was informed by one Shahnawaz Mian that the petitioner called him to inform that some people were shooting him. The informant started to search. He met the petitioner and thereafter the dead body of the informant's son was recovered.

It is submitted by learned Senior counsel appearing for the petitioner that the petitioner has been falsely implicated



in the case. There are no eye witness to the alleged occurrence. No overt act has been alleged against this petitioner. The statement to the effect that information was given by the petitioner, as mentioned in the F.I.R., is false and incorrect. Subsequently, in course of investigation, the informant states that while his son was leaving the house he told that it was the petitioner who had telephoned him. The petitioner is in custody since 10.2.2022 and has no criminal antecedent.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the nature of allegation in the F.I.R., the material that has transpired in course of investigation together with the petitioner having remained in custody for 11 months since 10.2.2022 and chargesheet having been submitted in the case, the Court directs the petitioner to be enlarged on bail in connection with Adhaura P.S. Case no.60 of 2021 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Kaimur at Bhabua.

(Partha Sarthy, J)

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