

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35348 of 2023

Arising Out of PS. Case No.-450 Year-2021 Thana- MAHUA District- Vaishali

SAROJ KUMAR @ SAROJ KUMAR SINGH S/O SRI DHODAI SINGH
R/O Village- Baikunthpur, Ward No.-2, P.S- Rajapakar, Distt.- Vaishali at
Hajipur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Navjot Yesu, Advocate

For the Opposite Party/s : Mr.Braj Kishore Pd.(App), APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 31-07-2023 Learned counsel for the petitioner is permitted to
remove defect (s), as pointed out by the office, if any, within a
period of four weeks on resumption of physical mode.

2. Heard learned counsel for the petitioner and learned
A.P.P for the State.

3. The petitioner has preferred this application for
grant of regular bail in connection with Mahua P.S. Case No.
450 of 2021 dated 18.07.2021 registered for the offences
punishable u/ss 328 and 302 read with Section 34 of the Indian
Penal Code.

4. As per the prosecution case, the co-accused Kiran
Devi took the informant's son by calling. On being asked
whereabout of her son, Kiran Devi and Geeta Devi started



pretending and did not reply satisfactorily. The informant has confidence that the co-accused persons Kiran Devi and Geeta Devi committed murder of her son aged about 5 years old after administering poison to her son, Sumit Kumar.

5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is not named in the F.I.R. The name of the petitioner has surfaced in this case during the course of investigation and there is no specific allegation against the petitioner. There is no eye witness to the alleged occurrence. One of the co-accused persons has already been granted bail by the Coordinate Bench of this court vide order dated 20.09.2022 passed in Cr. Misc. No. 36040 of 2022. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 03.04.2023.

6. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

7. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court



concerned, Vaishali at Hajipur in connection with Mahua P.S.
Case No. 450 of 2021.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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