

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37127 of 2023

Arising Out of PS. Case No.-21 Year-2023 Thana- OBRA District- Aurangabad

BIRENDRA SINGH, Son of Late Dudheshwar Singh Resident of village -
Chechadhi, P.S. - Obra, Distt. - Aurangabad

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vaishnavi Singh, Advocate
For the Opposite Party/s : Mr.Nawal Kishore Prasad, APP

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

ORAL ORDER

2 07-07-2023 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.

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

The petitioner has preferred this application for grant of
regular bail in connection with Obra P.S. Case No. 21 of 2023
dated 13.01.2023 registered for the offences punishable u/s 302
read with Section 34 of the Indian Penal Code and Sections 25(1-
b)a, 26, 35 and 27 of the Arms Act.

As per the prosecution case, the informant's husband
was sitting at Dalan and was cleaning mouth. In the meantime, the
informant saw that her son Amit kumar fired on her husband at the
exhortation of the petitioner (brother-in-law of the informant)



which resulted into the death of her husband.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is simply an order giver who is full brother of the informant's husband. The specific allegation of firing is against the co-accused Amit Kumar. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has got clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 24.03.2023.

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

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, Daudnagar, Aurangabad in connection with Obra P.S. Case No. 21 of 2023.

The application stands allowed.

(Chandra Prakash Singh, J)

Gautam/-

U		T	
---	--	---	--

