

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36470 of 2022

Arising Out of PS. Case No.-398 Year-2020 Thana- GAIGHAT District- Muzaffarpur

Prince Kumar Son Of Narmadeshwar Singh @ Anuja Singh Resident Of
Village And P.O.- Boari Deeh, Chiraila, P.S.- Gaighat, District- Muzaffarpur
... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Singh
For the Opposite Party/s : Mr. Abhay Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 02-03-2023 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 section 302, 201/34 of the Indian Penal Code.

As per prosecution case, the informant alleged that on 29.11.2020, the petitioner along with co-accused Ankit Kumar took away his nephew forcibly on their motorcycle. Thereafter, the informant came to know that his nephew has been murdered and is dead body has been thrown in a Chaur. It is further alleged that the petitioner is indulged in hatching conspiracy to kill the informant's nephew in connivance with co-accused.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. There is previous enmity between the deceased and the accused persons



due to which the name of petitioner has been sprang up in the present case. There were neither any eye witnesses of the alleged occurrence nor any consistent evidence has come against the petitioner rather the entire prosecution hinges around merely on suspicion. As per supplementary affidavit, the co-accused namely Ankit Kumar has been acquitted by the learned Additional Sessions Judge-2, Muzzafarpur vide judgment & order dated 11th May, 2022 passed in S.Tr. Case No. 195/2021 arising out of Gaighat P.S. Case. No. 398 of 2020. Moreover, the petitioner is languishing in judicial custody since 15.2.2022.

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, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Gaighat P.S. Case No. 398 of 2020 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Muzaffarpur.

(Sunil Kumar Panwar, J)

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