

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42311 of 2022**

Arising Out of PS. Case No.-404 Year-2020 Thana- SASARAM MUFFASIL District- Rohtas

BIRENDRA SINGH @ BAPUN @ BAPUN SINGH S/O LATE
RAGHUBANSH SINGH Resident of Village- Mishripur, P.S.- Sasaram
(Muffasil), District- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Animesh Kumar, Advocate

For the Opposite Party/s : Mr.Pranav Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER**

4 25-04-2023 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks pre-arrest bail in connection with Sasaram (Muffasil) P.S. Case No. 404 of 2020 registered for the offences punishable under Section 306 of the Indian Penal Code.

3. Learned counsel appearing on behalf of the petitioner submits that petitioner is uncle of the informant (deceased as well). He has no role in alleged offence. There is no specific allegation of instigation against the petitioner. FIR itself reveals that the allegation is general and omnibus. The petitioner submits that the deceased was suffering from the disease and he wanted to marry with the informant's daughter-



in-law against her wish. There being no specific allegation, he seeks to be released on pre-arrest bail.

4. Learned counsel for the State has vehemently opposed the prayer for grant of anticipatory bail.

5. Considering the aforementioned facts, the petitioner has made out prima facie case of pre-arrest bail. Let the petitioner, named above, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Rohtas at Sasaram, in connection with Sasaram (Muffasil) P.S. Case No. 404 of 2020, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure and with a further condition that if the statement made in paragraph No.3 of the present bail application with respect to the criminal antecedent of the petitioner is found to be incorrect, this order will automatically will lose its force.

(Purnendu Singh, J)

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