

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45540 of 2023

Arising Out of PS. Case No.-22 Year-2016 Thana- PIPRIYA District- Lakhisarai

Niraj Singh Son Of Phulena Prasad Singh @ Phulain Singh Resident Of
Village - Babhangawan, Ps- Lakhusarai, Distt- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar

For the Opposite Party/s : Mr.Shyameshwar Dayal

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 19-09-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 302, 120B of the Indian Penal Code and Section 27 of Arms Act.

3. According to prosecution case, while the brother of the informant was returning home, on the way, he was shot dead by some unknown miscreants under a conspiracy and the accused miscreants took away his mobile, golden chain and cash of Rs. 20,000/-.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The petitioner is not named in the FIR rather during investigation, wife & nephew of the deceased are claimed as eye witness of



the alleged occurrence who disclosed the name of accused persons including the petitioner. In fact, the petitioner has falsely been made accused in the present case after lodging the FIR on the basis of suspicion. The petitioner is languishing in judicial custody since 17.4.2023. Moreover, similarly situated co-accused namely, Pankaj Kumar vide Annexure-3, has already been enlarged on bail by a co-ordinate Bench of this Court by order dt. 6.7.2017 passed in Cr. Misc. No. 29.31 of 2017.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Considering the facts and circumstances of the case as well as custody period of the petitioner, this court is inclined to enlarge him on bail. The above named petitioner is directed to be released on bail in connection with Pipariya P.S. Case No. 22 of 2016 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned J.M. 1st Class, Lakhisarai.

(Sunil Kumar Panwar, J)

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