

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47499 of 2023

Arising Out of PS. Case No.-114 Year-2021 Thana- BARGAINIA District- Sitamarhi

DEVENDRA SINGH SON OF LATE SURAJ SINGH RESIDENT OF
VILLAGE - ASHOGI, WARD NO. 3, P.S - BAIRGANIA, DISTRICT-
SITAMARHI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs.Madhubala Verma

For the Opposite Party/s : Mr.Satya Nand Shukla

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

ORAL ORDER

- 2 04-08-2023
1. 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 Bairgania P.S. Case No. 114 of 2021 dated 11.6.2021 registered for the offence punishable u/s 302 read with section 34 of the Indian Penal Code.
 4. As per the prosecution case, the petitioner and the co-accused persons along with 3-4 unknown persons are alleged to have assaulted the husband of the informant with dabia,



garasa and axe and killed the informant's husband and fled away.

5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is general and omnibus allegation against the petitioner. Nothing incriminating material has been recovered from the conscious possession of the petitioner. There is no eye witness to the occurrence. Learned counsel has further submitted that there is land dispute between the parties. The co-accused person has already been granted bail by the Coordinate Bench of this Court vide order dated 2.8.2022 passed in Cr. Misc. No. 16291 of 2022. The petitioner is accused in 3 other criminal cases as stated in para 3 of the bail petition. The petitioner is in custody since 2.6.2023.

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, Sitamarhi in connection with Bairstonia P.S. Case



No. 114 of 2021.

8. The application stands allowed.

(Chandra Prakash Singh, J)

Ajay Singh/-

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