

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51471 of 2023

Arising Out of PS. Case No.-5 Year-2023 Thana- LALGANJ District- Vaishali

Gena Lal Kumar Son Of Durga Prasad Sharma Resident Of Village
-SHAHPUR Kasim, Ps- Lalganj, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bela Singh

For the Opposite Party/s : Mr.Narendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 05-09-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has filed the instant application for grant
of regular bail in a case registered for the offences punishable
under Section 302 of the Indian Penal Code.

It is a case of commission of murder of the informant's
mother namely, Sita Devi by unknown persons.

It is submitted by learned counsel for the petitioner that
the petitioner is innocent and has committed no offence. The
petitioner is not named in the F.I.R. No one is the eye witness of
the alleged occurrence. He has no concerned with alleged
occurrence. He has falsely been implicated in the present case on
the basis of his confessional statement before the police, which has
got no evidentiary value in the eye of law. During investigation,



except his confession no other consistent material has come against the petitioner which shows his complicity in the alleged occurrence. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. It is also submitted that petitioner is languishing in judicial custody since 31.01.2023.

Learned APP appearing for the State has vehemently opposed the prayer for Bail and submitted that during investigation some witnesses have stated in respect of presence of the petitioner along with other accused persons nearby the place of occurrence.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Lalganj P.S. Case No.05 of 2023 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned 5th Additional Sessions Judge, Vaishali at Hajipur.

(Sunil Kumar Panwar, J)

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