

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49578 of 2022

Arising Out of PS. Case No.-3 Year-2022 Thana- CHERIYA BARIYARPUR District-
Begusarai

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Lalan Singh @ Lalan Kumar Singh S/O Rajo Singh @ Rajeshwar Prasad
Singh Resident Of Village- Manjhaul, Panchayat-1, P.S.- Cheria Bariyarpur,
District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Shivam, Ms.Vaishnavi Singh
	:	Mr.Ajay Kumar Thakur
For the Informant/s	:	Mr. Rohit Raj, Adv.
For the Opposite Party/s	:	Mr.Rajiv Nayan

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 07-02-2023 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

The petitioner has filed the instant application for
grant of regular bail in connection with Cheriya Bariyarpur P.S.
Case No. 03 of 2022 registered under sections 302 and 34 of the
Indian Penal Code and Section 27 of the Arms Act.

Allegation against the petition is of committing
murder of the informant's father along with co-accused persons
and they were seen at the place of occurrence during their
escape.

Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. He has



falsely been implicated in this present case. It is apparent from the FIR that the alleged occurrence allegedly took place in the night of 03.01.2022 at about 12.00AM, but the present FIR was received at the police station on 04.01.2022 at 22.45 hours and this itself goes to show that nobody saw the alleged occurrence and subsequently after arrival of the informant from her sasural, the present case was manufactured at the behest of the informant as well as her maternal uncle. There is no direct and consistent material available against the petitioner and also there is no eye-witness who saw the offence, was committed by this petitioner and other. The petitioner is languishing in judicial custody since 6.5.2022.

The application for bail is vehemently opposed by learned APP for the State and learned counsel for the informant and submitted that the petitioner was named in FIR and the petitioner along with co-accused was seen at the place of occurrence during their escape.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, the Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Cheriya Bariyarpur P.S. Case No. 03 of 2022



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 Additional Chief Judicial Magistrate, Manjhaul, District- Begusarai.

(Sunil Kumar Panwar, J)

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