

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51827 of 2023

Arising Out of PS. Case No.-336 Year-2023 Thana- PURNEA SADAR District- Purnia

Piyush Kumar Son Of Vijay Kumar Resident Of Village- Mahboob Khan
Tola, Near Bus Stand Purnia, Ward No.23, Ps- K. Hat, Distt- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 58447 of 2023

Arising Out of PS. Case No.-336 Year-2023 Thana- PURNEA SADAR District- Purnia

Kaushal Kumar Singh S/O- Late Anil Kumar Singh R/O- Mohalla Shiv
Nagar, Polytechnic, P.S.- K. Hat, Dist.- Purnea.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 51827 of 2023)
For the Petitioner/s : Mr.Dr. Bidhu Ranjan
Mr. N.K. Agarwal
For the Opposite Party/s : Mr.Yogendra Kumar Singh
(In CRIMINAL MISCELLANEOUS No. 58447 of 2023)
For the Petitioner/s : Mr.Dr. Bidhu Ranjan
For the Opposite Party/s : Mr.Meena Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 02-12-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners have prayed for grant of bail in
connection with Sadar (Muffasil) P.S. Case No. 336 of 2023
registered under section 364 of the Indian Penal Code.

As per allegation in the FIR, petitioners along with



other co-accused persons have abducted the brother of the informant and committed murder of his brother.

Learned counsel for the petitioners submits that the petitioner are innocent and have committed no offence. They have falsely been implicated in this case merely on suspicion. The petitioners are not named in FIR rather their name came only on the basis of suspicion. There is no eye witness of the alleged occurrence and also nothing consistent material has come against the petitioners. Only on the basis of confessional statement of petitioner No.1 which were recorded by the police after conducting the postmortem of the informant's brother which creates falsity of the case. A statement has been made in para-3 of both the petitions that the petitioners have got no criminal antecedent. Similarly situated other co-accused person has already been granted bail by another co-ordinate Bench of this Court vide order dated 04.08.2023 in Cr. Misc. No 48649 of 2023. Moreover, the petitioners are languishing in judicial custody since 18.04.2023.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and considering the facts and circumstances of this case as well as



the custody of the petitioners, the Court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail in connection with Sadar (Muffasil) P.S. Case No. 336 of 2023 on each of them furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Purnea.

(Sunil Kumar Panwar, J)

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