

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52374 of 2022

Arising Out of PS. Case No.-65 Year-2022 Thana- JALE District- Darbhanga

Jitendra Prasad Singh Son Of Late Dharmdev Prasad Singh R/V- Jogiyara,
Tole- Madhva Gharari, P.S- Jalley, Dist- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jagnnath Singh

For the Opposite Party/s : Mr.Anil Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 14-02-2023 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 connection with Jalley P.S. Case No. 65 of 2022 registered under sections 302 and 34 of the Indian Penal Code and 27 of the Arms Act.

Prosecution case in short is that the informant's son namely Sundaram Kumar Singh aged about 12 years, was playing along with his friends, in the meantime, the accused person with petitioner came and the accused person Sonu Kumar Singh fired on the neck of the informant's son with pistol, due to which he died on spot.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this present case due to village



politics. It is further submitted that according to FIR, the specific allegation of opening fire due to which the informant's son died on spot is against co-accused Sonu Kumar Singh not against this petitioner. Petitioner has made accused in this case only because of his presence at the place of occurrence. There is no specific overt act of opening fire against the petitioner. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. He is languishing in judicial custody since 22.05.2022.

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

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 Jalley P.S. Case No. 65 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 A.C.J.M.-I, Darbhanga.

(Sunil Kumar Panwar, J)

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