

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56964 of 2023

Arising Out of PS. Case No.-285 Year-2022 Thana- SISWAN District- Siwan

Prince Bharti Son Of Late Nagendra Bharti Resident Of Village - Bhadaur,
P.S. - Shishvan, District - Siwan

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vikash Kumar Jha

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

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 08-09-2023 Heard learned counsel for the petitioner and

learned A.P.P appearing on behalf of the State.

The petitioner is languishing in custody in a
case registered for the offences punishable under
Sections 302/34 of the Indian Penal Code and Section
27 of the Arms Act.

It is a case of commission of murder of the son
of the informant.

It is submitted by learned counsel for the
petitioner that petitioner is innocent and he has falsely
been implicated in this case. The petitioner is not named
in the F.I.R and only on the basis of confessional



statement of co-accused Vikash Kumar Singh, the petitioner has been roped in the present case which has no evidentiary value in the eye of law. The petitioner has still not been put on T.I.P. During investigation, no consistent material evidence against the petitioner and only on the basis of suspicion, the petitioner has been roped in the present case. There is no eye witness to the occurrence. The petitioner has been remanded in this case on 03.05.2023 and since then he is in custody. Moreover, other similarly situated co-accused has been granted bail by a coordinate Bench of this Court vide order dated 19.08.2023 passed in Cr. Misc. No. 52311 of 2023.

In contra, learned A.P.P appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioner.

Considering the facts aforesaid and the period under custody, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/-



(Ten Thousands) with two sureties of the like amount
each to the satisfaction of learned Additional Chief
Judicial Magistrate-IV, Siwan in connection with Siwan
(Chainpur OP) P.S. Case No. 285 of 2022.

(Sunil Kumar Panwar, J)

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