

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61633 of 2023

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

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Banti Kumar @ Banti Sharma @ Banti Kumar Sharma Son Of Chhotelal
Sharma R/O Vill - Premganj, P.S. - Lalganj, Distt. - Vaishali

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shyameshwar Kumar Singh

For the Opposite Party/s : Mr.Umeshanand Pandit

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 15-09-2023 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 rather his name came into light
in this case on the basis of confessional statement of other co-
accused person, namely, Genalal Kumar before the police, which
has got no evidentiary value in the eye of law. No one is the eye
witness of the alleged occurrence. He has no concerned with



alleged occurrence. During investigation, nothing consistent material has come against the petitioner to involve in the alleged occurrence. Similarly situated other co-accused person has already been granted bail by this Court vide order dated 05.09.2023. in Cr. Misc. No. 51471 of 2023. Moreover, the petitioner is languishing in judicial custody since 16.03.2023.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

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 Chief Judicial Magistrate, Vaishali at Hajipur.

(Sunil Kumar Panwar, J)

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