

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62019 of 2022

Arising Out of PS. Case No.-166 Year-2021 Thana- AKBARPUR District- Nawada

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LUSAN SINGH @ AMIT KUMAR Son of Late Shambhu Singh R/o-
Pirauta, P.S- Akbarpur, Distt- Nawada

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Amresh Kumar Sinha, Adv.

For the Opposite Party/s : Mr.Pramod Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 06-02-2023 Heard the learned counsel for the petitioner
and the learned APP for the State.

The petitioner seeks regular bail in connection with Akbarpur P.S. Case No. 166 of 2021, registered for the offence punishable under Section 302/34 of the Indian Penal Code.

The case of the prosecution, in brief, is that the son of the informant, namely, Niwash Kumar, was working as a cleaner on the truck of one Pramod Singh since the past two months. It is also alleged that on 11.3.2021 at about 4:00 pm. in the evening, the petitioner herein had taken the son of the informant along with him, however, when the son of the informant did not



return in the night, she had made search for him and on 12.3.2021, she was informed that her son was lying dead near a pole on the road, whereafter she had gone there and had found the dead body of her son, who had received injuries on the back and wrist of the right hand and over the fingers of the foot.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case, he is having a clean antecedent and he is languishing in custody since 23.8.2022. The learned counsel for the petitioner has further submitted that the name of the petitioner has transpired in the present case, upon confessional statement made by the co-accused persons, namely, Rambriksha Singh and Sonu Kumar. The learned counsel for the petitioner has further submitted that though it is an admitted fact that the petitioner was last seen with the deceased, but considering the fact that he is having a clean antecedent, a sympathetic view be taken and in case, this



Court is not inclined to grant bail, at least liberty be granted to the petitioner to renew his prayer for bail, after a lapse of one year from today.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record, this Court finds that there are ample materials available on record to suggest the complicity of the petitioner in the alleged crime, hence, I am not inclined to grant bail to the petitioner, nonetheless, the petitioner may renew his prayer for bail, after a lapse of one year from today, in case there is no substantial progress in the trial.

The present petition stands disposed off as not pressed, however, with the aforesaid liberty.

(Mohit Kumar Shah, J)

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