

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67493 of 2022

Arising Out of PS. Case No.-349 Year-2021 Thana- NAWADA MUFFASIL District- Nawada

MADHO SINGH @ RAKESH KUMAR SON OF MADHUSUDAN SINGH
@ MASUDAN SINGH R/O VILLAGE- KUMBHI, P.S.- WARSALIGANJ,
DISTRICT- NAWADAH

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun Kumar, Adv.

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

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 19-01-2023 Heard learned counsel for the petitioner and learned APP for
the State.

The petitioner apprehends his arrest in a case registered for
the offences punishable under Sections 302, 201, 34 of the Indian
Penal Code.

Allegedly, petitioner is said to have been involved in
committing murder of the informant's son.

It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has committed no offence. No such
occurrence as alleged ever took place. He has been falsely
implicated in this case without any cogent material. Neither
informant nor any other person is the eye witness of the present
case. It is further submitted that from the bare perusal of FIR, it is
evident that no specific allegation has been levelled against him.
The name of the petitioner has been transpired in this case merely



on the basis of suspicion. There is no direct and indirect evidence against the petitioner nor there is any circumstantial evidence to suggest the participation of the petitioner in the present case. He further submits that similarly situated co-accused person has been granted anticipatory bail by a co-ordinate Bench of this Court in Cr. Misc. No. 31827 of 2022 vide order dated 01.11.2022. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, since the similarly situated co-accused has been granted anticipatory bail, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Muffasil P.S. Case No. 349 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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