

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72157 of 2022

Arising Out of PS. Case No.-31 Year-2021 Thana- MURAR District- Buxar

Munna Singh @ Jitendra Singh, Son of Brameshwar Singh, R/V- Fafdar, P.S-
Murar, Dist- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nirbhay Prashant, Advocate
For the Opposite Party/s : Ms. Anita Kumari, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

5 22-02-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has renewed his prayer for grant of regular bail in a case registered under sections 302, 201 and 34 of the Indian Penal Code.

The earlier application for bail of the petitioner was rejected vide order dated 11.03.2022 (Annexure-1) passed in Cr. Misc. no. 51403 of 2021.

As per prosecution case, it is stated by the informant that her son had his shop next to the shop of one Bhagwati Prasad and as a result of business rivalry, the said Bhagwati Prasad had threatened him on a number of occasions. It is further stated that on her son not returning, on going to the place of occurrence she saw that the articles were scattered and her



son murdered with his face smashed was lying on the road.

It is submitted by learned counsel for the petitioner that the petitioner is not named in the F.I.R. His name transpired in course of investigation and the prosecution is mainly relying on the confessional statement of the petitioner made before the police. The same is inadmissible. The petitioner is in custody since 30.05.2021 and has no criminal antecedent. There is no chance of the trial concluding in the near future. The petitioner undertakes to cooperate in the trial.

The application for bail of the petitioner is opposed by learned A.P.P for the State.

A report was called for from the learned trial Court. As per report received contained in letter no. 09 dated 20.1.2023, the trial has proceeded, one witness has been examined on behalf of the prosecution while five witnesses are yet to be examined.

Having heard learned counsel for the parties and taking into consideration the nature of allegation, the material that has transpired in course of investigation, the petitioner having remained in custody for more than 1 year 8 months since 30.5.2021 and the contents of the report with respect to stage of the trial received from the learned trial Court, the petitioner is



directed to be enlarged on bail in connection with Session Trial
no. 207 of 2021, arising out of Murar P.S. Case no. 31 of 2021
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 Additional Sessions Judge-IV, Buxar.

(Partha Sarthy, J)

Ranjeet/-

U		T	
---	--	---	--

