

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3609 of 2023

Arising Out of PS. Case No.-213 Year-2020 Thana- PIYAR District- Muzaffarpur

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SURESH ROY Son of Bindeshwar Roy Resident of Village- Mali Nagar,
Simri, P.S.- Chakmehsi, District- Samastipur Petitioner/s

Versus

The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Zainul Abedin

For the Opposite Party/s : Mr. Sanjay Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 24-07-2023 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

The petitioner has prayed for bail in a case instituted
for the offence under Sections 302 and 120(B)/34 of the Indian
Penal Code.

As per allegation in the FIR, petitioner was
pressurizing the informant's husband to compromise a case of
theft of tractor which was lodged against he petitioner. It is
further alleged that with common intention, petitioner in
connivance with co-accused Arun Verma and Pankaj Kumar
under a conspiracy committed murder of the informant's
husband.

It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case due to
previous enmity. No one is the eye witness of the alleged



occurrence. During investigation, witness Niranjan stated that he has seen the petitioner while he was returning from the place of occurrence. Except circumstantial evidence, no consistent material has come against the petitioner to show his involvement in the present case. Similarly situated other accused person has already been enlarged on bail by another coordinate Bench of this Court vide order dated 16.11.2021 passed in Cr. Misc. No. 22545 of 2021. Petitioner is languishing in judicial custody since 15.7.2022.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned CJM, Muzaffarpur in connection with Piya P.S. Case No. 213 of 2020.

(Sunil Kumar Panwar, J)

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