

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81149 of 2023

Arising Out of PS. Case No.-181 Year-2022 Thana- BIRAUL District- Darbhanga

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1. CHANDAN KUMAR SINGH SON OF ARUN KUMAR SINGH R/O VILLAGE- NISHIHARA, P.S.- BIRAUL, DISTRICT- DARBHANGA
 2. DHARMENDRA KUMAR SINGH SON OF RAJ KUMAR SINGH R/O VILLAGE- NISHIHARA, P.S.- BIRAUL, DISTRICT- DARBHANGA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satyapal Singh, Adv.
For the Opposite Party/s : Mr.Pranav Kumar, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 20-12-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 302, 120(B), 34 of the Indian Penal Code and Section 27 of Arms Act.

3. Allegedly, having conspiracy, all the accused persons including the petitioners surrounded the dinning table where the informant's husband was taking meal and in the meantime, co-accused Sharwan Kumar Singh came there and fired upon the informant's husband due to which he died on the spot.

4. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no



offence. No such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. As per the FIR, there is specific allegation against co-accused Sharwan Kumar Singh to fire upon the informant's husband due to which he died on the spot. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case, as there is no specific overt act against the petitioners, let the above named petitioners, be released on bail, in the event of their 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) each with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Biraul P.S. Case No. 181 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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