

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9885 of 2024

Arising Out of PS. Case No.-155 Year-2023 Thana- SIWAIPATTI District- Muzaffarpur

SHYAM KUMAR KUSHWAHA @ SHYAM KUMAR @ SHYAM
SUNDAR S/O KAILASH PRASAD R/O VILLAGE- PAIGAMBARPUR,
P.S- SIWAIPATTI, DISTT.- MUZAFFARPUR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok, Advocate

For the Opposite Party/s : Mr.Shailendra Kumar Singh, Addl Public Prosecutor
Mr. Radha Mohan Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 16-04-2024 Heard learned counsel for the parties.

2. The petitioner apprehends arrest in a case registered for the offence punishable under sections 302/120B/34 of the Indian Penal Code.

3. As per the prosecution case, informant suspects that the petitioner and other accused persons have killed his son.

4. Learned counsel appearing for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case only on suspicion. As a matter of fact, victim had fallen from the roof of the school and during treatment he died. Learned counsel submits that save and except suspicion, there is no other direct or indirect evidence against the petitioner to show his complicity in the occurrence.



5. Learned counsel for the State as well as the informant oppose the prayer for bail.

6. Considering the aforesaid facts of the case, prayer for bail of the petitioner is allowed. In the event of arrest/surrender within six weeks from today, let the petitioner, mentioned above, be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Sub Divisional Judicial Magistrate Muzaffarpur East in Siwaipatti Police Station Case No. 155 of 2023, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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