

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13855 of 2024

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

Uday Kumar S/O Raghunath Bhagat @ Raghunath Prasad R/O Village-
Paigambarpur, P.S.- Siwaipatti, Dist.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mrs. Soni Srivastava
	Sarandha Suman
For the Opposite Party/s :	Mrs.Pushpa Sinha

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 19-04-2024 Heard learned counsel for the parties.

2. The petitioner seeks bail in a case registered for
offence under Sections 302/120B/34 of the Indian Penal Code.

3. Allegation against this petitioner is that he
alongwith other co-accused persons killed the son of informant.

4. It is submitted on behalf of petitioner that petitioner
has been falsely implicated in this case only on suspicion. There
is no eye-witness to the alleged occurrence. F.I.R. has been
lodged after a delay of 23 days of the alleged occurrence and
there is no plausible explanation of delay. As a matter of fact,
the victim had fallen from the roof of the school and in course
of treatment, died. During course of investigation, only material
that has come against this petitioner is that there was exchange
of phone calls between the deceased (son of informant) and the



daughter of the petitioner, as per mobile tower location. Save & except this, there is no other direct or indirect evidence against the petitioner to show his complicity in the alleged occurrence. Similarly situated co-accused Shyam Kumar Kushwaha has already been granted anticipatory bail by this Court, vide order dated 16.04.2024 passed in Cr.Misc. No. 9885 of 2024. Petitioner has got clean antecedent and is in custody since 22.11.2023. Chargesheet has been submitted.

5. Learned A.P.P. for the State vehemently opposed the bail petition.

6. Considering the aforesaid facts and circumstances, let the above named petitioner be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., East Muzaffarpur in connection with Siwaipatti P.S. Case No. 155 of 2023.

(Prabhat Kumar Singh, J)

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