

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18439 of 2024

Arising Out of PS. Case No.-192 Year-2023 Thana- SHAHPUR PATORI District- Samastipur

Murari Das @ Murari Kumar son of Subodh Das Village- Balupar Dasraha
Ps- patori Dist- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Anil Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 14-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Patori P.S. case No. 192
of 2023 instituted for the offences under Sections 302 and 34 of
the Indian Penal Code.

3. Prosecution allegation, in short, is that the accused
persons took the grandson of the informant along with him and
later dead body of his grandson was found.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case due to suspicion. The informant is not an eye
witness to the alleged occurrence. No specific allegation is made
against the petitioner rather general and omnibus allegation has



been made against the petitioner. During investigation, it came to light that there was an altercation between the deceased and co-accused namely, Murari Das and it also came into light that co-accused namely Rajnish Kumar committed murder of the informant's grandson. The petitioner is in custody since 03.04.2023 and has no criminal antecedent. Similar co-accused has been granted bail by a Coordinate Bench of this Court vide order dated 06.02.2024 passed in Cr. Misc. No. 65478 of 2023 (Annexure-2 to the present application).

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, the period of custody undergone by the petitioner and the claim based on parity, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Patori P.S. case No. 192 of 2023 subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.



(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

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