

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28349 of 2024

Arising Out of PS. Case No.-280 Year-2023 Thana- UJIYARPUR District- Samastipur

Mahesh Kumar S/o Late Rajendra Singh Resident of Village- Belari,
Chhatwari P.S. Ujiarpur, Distt.- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Surendra Kumar Singh

For the Opposite Party/s : Mr.Shantanu Kumar

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

3 01-08-2024 Heard learned counsel for the petitioner as well as
learned APP for the State.

2. In this case, the petitioner is seeking regular bail in connection with Ujiarpur P.S. Case No. 280 of 2023, registered for the offences punishable under Sections 302, 201 of the Indian Penal Code.

3. Informant, Mira Devi stated in her *fardbeyan* that in the night of 31.07.2023, she was with her husband (deceased) at their boring in Rahua Chaur. At about 8 PM, she returned to house and in the next morning when she went there she saw the dead body of her husband covered with his *lungi*. She felt electric current when she touched the dead body and she fell down. She described the state of dead body which appeared to



her that her husband died due to electrocution.

4. Learned counsel for the petitioner has submitted that the Investigating Authority with some ulterior motive falsely implicated the two sons of the informant and the deceased and the petitioner is one of the sons. Further submission is that in the FIR itself, it has been mentioned that one year prior to the occurrence someone had attempted the life of the deceased by inflicting knife blows but in that case neither the deceased nor the informant named anybody including the petitioner. Further submission is that the deceased was an accused in a murder case in which he was convicted and sentenced for life imprisonment. The deceased had filed Cr. APP (DB) No. 1106/2012 and vide order dated 08.05.2014 the sentence awarded to the deceased was suspended under Section 389 of the CrPC. Further submission of the learned counsel is that it appears that the members of prosecution side in that case might have committed murder of the deceased and the investigating officer in collusion with the prosecution side of that case falsely implicated both the sons of the deceased.

5. Considering the above-mentioned facts and circumstances, let the petitioner, above-named, be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties



of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Dalsingsarai (Samastipur) in connection with Ujiarpur P.S. Case No. 280 of 2023, subject to the following condition:-

The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

(Nawneet Kumar Pandey, J)

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