

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30643 of 2024

Arising Out of PS. Case No.-428 Year-2021 Thana- RUNISAIDPUR District- Sitamarhi

Karan Ram Son of Vinod Ram R/o Village- Ganguli, P.S.- Aurai,
District- Muzaffarpur

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Shanti Bhushan Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 12-07-2024 Heard learned counsel appearing on behalf of the

petitioner and Mr. Mithilesh Kumar Khare, learned A.P.P. for

the State.

2. Petitioner seeks bail in connection with

Runnisaidpur P.S. Case No. 428 of 2021 registered for the

offences under Sections 302/34 of the Indian Penal Code

and Section 27 of the Arms Act.

3. The petitioner is named in the First Information

Report and is in custody since 09.10.2023.

4. Allegation against the petitioner is to commit

murder of nephew of the informant alongwith other co-

accused persons due to previous enmity arising out of money

transaction.



5. It is submitted by learned counsel appearing on behalf of the petitioner that from narration of F.I.R., it appears that informant claimed himself to be an eye witness of the occurrence, but he could not identify those four persons/assailants, who opened fire upon his nephew causing his death. It is pointed out that subsequently out of suspicion arising out of pending money disputes he named this petitioner as a main assailant to open fire out of said four unknown persons/asailants through same F.I.R.

6. While concluding argument, it is submitted that petitioner is in custody since 09.10.2023 and moreover investigation of this case is completed and, as such, there is is no chance of tampering with the evidence.

7. Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

8. In view of aforesaid factual submission as implication of this petitioner as named accused *prima-facie* appears only out of suspicion, in the background of non-identification at first instance, being eye witness of the occurrence, coupled with the fact that investigation of this



case has already been completed, where petitioner is in custody since 09.10.2023, accordingly, above-named petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of learned C.J.M., Sitamarhi/concerned court in connection with Runnisaidpur P.S. Case No. 428 of 2021, subject to the condition as laid down under Section 437 (3) Cr.P.C.

(Chandra Shekhar Jha, J.)

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