

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.39211 of 2024**

Arising Out of PS. Case No.-11 Year-2024 Thana- SARAI District- Vaishali

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Murlidhar Kumar @ Munna Son Of Late Anil Rai @ Anil Kumar Resident Of  
Village - Chakmajahid, P.S. - Mahua, District - Vaishali

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Vinay Ranjan, Advocate

For the Opposite Party/s : Ms. Nirmala Kumari, APP

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

ORAL ORDER

2      21-06-2024                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner seeks bail in Sarai P.S. Case No. 11  
of 2024, instituted for the offences punishable under Sections  
302 and 120(B) of the Indian Penal Code and Section 27 of the  
Arms Act.

3. The prosecution case, in short, is that, all the FIR  
named accused persons surrounded the husband of the  
informant. The co-accused Sanjeet Kumar and Sanjay Kumar  
fired from their pistol on him due to which the informant's  
husband died on the spot.

4. Learned counsel for the petitioner submits that the  
petitioner is innocent and has falsely been implicated in the  
present case. No incriminating material has been recovered from  
the conscious possession of the petitioner. Petitioner is not



named in the F.I.R. Name of the petitioner has transpired on the basis of confessional statement of co-accused Rishu Kumar which has no evidentiary value and the except the said confessional statement there is nothing against the petitioner. The petitioner is in custody since 08.02.2024 and has got one criminal antecedent. Learned counsel for the petitioner further submits that similarly situated co-accused has been granted bail by this Court vide order dated 29.04.2024 passed in Cr. Misc. No. 29058 of 2024.

5. Learned APP 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, taking into account the period of custody undergone by the petitioner and 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Sarai P.S. Case No. 11 of 2024.

**(Rudra Prakash Mishra, J)**

Rajorshi/-

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