

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56396 of 2024

Arising Out of PS. Case No.-142 Year-2023 Thana- PATAHI District- East Champaran

Aman Singh, Son Of Ramashray Singh R/V-Village - Gujaraul, P.S. - Patahi,
District - East Champaran

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Madhurendra Kumar
For the Opposite Party/s :	Mr. Chandra Bhushan Prasad- A.P.P.
	Mr. Rajiv Kumar
	Mr. Gajendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 22-11-2024 1. Heard learned counsel for the petitioner and learned APP for the State.
2. The petitioner seeks bail in a case registered for the offences punishable under Sections 302, 201 and 34 of the Indian Penal Code and Section 27 of the Arms Act.
3. The learned counsel for the petitioner submits that the petitioner is in custody since 07.03.2024 and charge-sheet has been submitted in this case and the informant alleges that her son Satyam Kumar on 05.05.2023 was returning home, when he was abducted by the accused persons and they killed him and thereafter, threw the dead body in a maize field. On getting information, the informant reached the place of occurrence and saw the dead body of his son with mark of



injuries on body and there was firearm injury on chest even.

Further few days back, Dharendra had threatened to kill his son.

4. The learned counsel for the petitioner submits that from perusal of the allegation as alleged in the F.I.R., it would manifest that the informant, who is mother of the deceased alleges that she had seen the occurrence being committed in front of her eyes, but then, she has not named the petitioner. It is further submitted that one Amit Kumar subsequently got his statement recorded under Section 164 of the Cr.P.C. wherein he has taken the name of the petitioner alleging that petitioner had committed the occurrence. The learned counsel submits that if what is being alleged by Amit is true, then definitely the mother of the deceased would have named the petitioner in the FIR as both of them are co-villagers and are known to each other. It is next submitted that Abhimanu Singh had approached this Court seeking anticipatory bail by filing Cr. Misc. No.47953 of 2024 and the same was allowed by an order dated 05.09.2024. It is next submitted that Abhimanu Singh was named in the FIR and the case of the petitioner is on a better footing as he is not named in the FIR. It is next submitted that petitioner is in custody since 07.03.2024.

5. Learned A.P.P. and the learned counsel appearing



on behalf of the informant opposes the bail application, but then, are not in a position to rebut the submission of the learned counsel appearing on behalf of the petitioner that mother of the deceased and the petitioner are co-villagers and are known to each other and he is not named in the FIR when mother of the deceased claims to be an eye witness to the occurrence.

6. Considering the submissions made by the learned counsel appearing on behalf of the petitioner, the petitioner, above-named, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran at Motihari in connection with Patahi P. S. Case No.142 of 2023.

7. The application stands allowed.

(Satyavrat Verma, J)

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