

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71157 of 2024

Arising Out of PS. Case No.-122 Year-2023 Thana- MAHESHKHUNT District- Khagaria

Shivakant Singh S/o Late Jaykant Singh R/o vill - ward no.16, Patla, P.S. -
Maheshkhunt, Distt. - Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kumar

For the Opposite Party/s : None

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 23-10-2024 Heard learned counsel for the petitioner. Nobody
appears on behalf of the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 302, 201, 120(B)/34 of the Indian Penal Code.

3. As per the prosecution case, it is alleged that the petitioner, together with other co-accused persons, formed a conspiracy that culminated in the premeditated murder of the deceased, by means of a knife and a rod. The dead body of the deceased was recovered in the morning by informant's mother-in-law from backyard of the house.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He submits that



there is no specific overt act against the petitioner. He further submits that it appears from perusal of the F.I.R. that neither the informant nor any other person is eye witness to the alleged occurrence, merely on the basis of suspicion petitioner has been made accused in the present case. Petitioner has one criminal antecedent as mentioned in para-3 of this application.

5. Considering the facts and circumstances of the case and the fact that there is no specific overt act against the petitioner, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Maheshkhunt P.S. Case No. 122 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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