

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68992 of 2024

Arising Out of PS. Case No.-163 Year-2023 Thana- CHERIYA BARIYARPUR District-
Begusarai

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Murari Kumar @ Murari @ Murari Kumar Singh, Son of Bipin Singh, R/o
Village- Aakashpur Ramdiri, P.S.- Muffasil, (Singhaul O.P.), Dist- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mirityunjay Kumar, Adv.
For the Opposite Party/s : Mr. Bharat Bhushan, APP

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 20-09-2024 Heard Mr. Mirityunjay Kumar, learned counsel for

the petitioner and Mr. Bharat Bhushan, learned APP for the

State.

2. Petitioner seeks regular bail in connection with
Cheria Bariyarpur (Manjhaul) P.S. Case No. 163 of 2023 dated
25.06.2023 registered for the offences punishable under
Sections 302, 201 and 120B read with Section 34 of the Indian
Penal Code (in short 'IPC').

3. Learned counsel for the petitioner submits that
there is no direct or indirect allegation or evidence against this
petitioner to show his involvement in the alleged crime and he
has been made accused mainly on the basis of one criminal
antecedent relating to Begusarai Mufassil P.S. Case No.



241/2023 registered under Sections 147, 148, 149, 323, 324, 325, 307, 353, 332, 333, 337 and 338 of IPC but in the said case, the petitioner did not make any confessional statement but even then, he was remanded in the present matter. Learned counsel further submits that as per the order impugned, the main allegation of murder is against co-accused Satyam Kumar who happens to be the brother-in-law of one namely, Batohia who was a history-sheeter and as per the allegation, the informant's son was murdered as a revenge of encounter of said Batohia but in respect of the present matter, there is no discussion of any direct or indirect evidence against this petitioner in the order impugned and further, the main co-accused Satyam Kumar as well as other co-accused persons namely Sonu Kumar (S/o-Sanjay Singh), Raman Kumar, Rajnish Kumar, Tarun Kumar @ Mithu and Sonu Kumar @ Gonu have been granted bail by this Court vide orders passed in Cr. Misc. Nos. 23035/2024, 8374/2024, 11676/2024, 39791/2024 and 21402/2024 respectively. Learned counsel further submits that the petitioner has been languishing in jail since 14.05.2024 in the present matter and he has got only one criminal antecedent.

4. Though the learned APP for the State opposed the bail prayer of the petitioner but fairly accepted that as per the



order impugned, there is no direct evidence against this petitioner.

5. Having considered the above submissions and mainly taking into account the fact that in order to show the petitioner’s involvement in the alleged crime, there is no direct evidence and several co-accused persons mentioned above are on bail, in my opinion, the petitioner deserves to the privilege of bail. Accordingly, let the petitioner named-above be released on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the concerned Court in connection with Cheria Bariyarpur (Manjhaul) P.S. Case No. 163 of 2023.

(Shailendra Singh, J)

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