

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73813 of 2023

Arising Out of PS. Case No.-728 Year-2020 Thana- MOTIHARI TOWN District- East
Champaran

Abhishek Singh, Male, aged about 28 years, Son of Satyadeo Singh, Resident
of Village / Mohalla - Bariyarpur, Police Station - Chhatauni, District- East
Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Karandeep Kumar, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

5 20-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Motihari Town PS Case No. 728 of 2020 instituted for the
offences punishable under Sections 302, 120(B)/34 of the Indian
Penal Code and Section 27 of the Arms Act.

3. As per the prosecution case, it is a case of murder
of the husband of the informant, namely Ranjeet Singh.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence and has
falsely been implicated in this case merely on the basis of mere
suspicion. From perusal of the FIR, case diary and impugned
order of the learned Additional Sessions Judge-20 East
Champaran, Motihari dated 29.08.2023, it appears that



petitioner is not named in the FIR and his name transpired in this case from a confessional statement of co-accused Suraj Mahto. From perusal of the case diary of para nos 28, 29 and 30, it appears that presence of petitioner at the place of occurrence and time of occurrence is from CCTV footage. No overt act has been alleged against the petitioner and no any witness stated regarding involvement of this petitioner. Similarly situated co-accused persons namely, Rupam Singh @ Chhotan Singh has been granted bail by a co-ordinate Bench of this Court in Cr. Misc. No. 46540 of 2022 dated 11.01.2023. Petitioner is in custody since 13.02.2023.

5. Learned APP opposes the prayer for bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, East Champaran at Motihari in connection with Motihari Town PS Case No. 728 of 2020.

(Ramesh Chand Malviya, J)

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