

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72909 of 2023

Arising Out of PS. Case No.-357 Year-2017 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

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Thakur Vikram Singh @ Mithu Singh @ Vikram Singh, aged about 36 years,
Male, Son Of Late Thakur Uday Shankar Singh @ Late Uday Shankar Singh,
Resident Of Village - Pitaujhiya (Karpurigram), P.S. - Samastipur Muffasil,
District - Samastipur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jitendra Narain Sinha, Advocate

For the Opposite Party/s : Mr. Anish Chandra, APP

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CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA

ORAL ORDER

4 15-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody in connection with
Muffasil P.S. Case No. 357 of 2017 registered for an offence
punishable under Sections 302/34 of the Indian Penal Code and
Section 27 of the Arms Act.

3. As per allegation in the FIR, it is a case of murder
of the husband of the informant by the accused persons.

4. Learned counsel for the petitioner submits that
petitioner has falsely been implicated in this case. He further
submits that there is family dispute between the parties and
similarly situated co-accused persons have already been granted



regular bail by a Co-ordinate Benches of this Court passed in Cr. Misc. Nos.27382 of 2018 and 60342 of 2018. Petitioner is in judicial custody since 06.03.2023.

5. However, learned APP for the State opposes the prayer for regular bail of the petitioner.

6. Perused the first information report, charge-sheet-cum-final report and certified copy of ordersheet dated 09.01.2018, it appears that cognizance taken under Section 302/34 of the Cr.P.C., and the first information report lodged by Chanchal Devi against five persons including the petitioner and after concluding the investigation, investigating officer submitted chargesheet against three persons including the petitioner, other accused Sushila Devi has not sent up for trial but the learned trial Magistrate deferred the opinion of the investigating officer, summoned the petitioner and other accused persons under Section 302/34 of the IPC and 27 of the Arms Act. Other sent up accused persons, namely, Ujal Misra @ Ujjwal @ Ujjwal Mishra has already been granted regular bail by a Co-ordinate Bench of this Court passed in Cr. Misc. No.27382 of 2018.

7. Considering the above facts, I am inclined to grant bail to the petitioner. Let the above named petitioner 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 learned 7th Additional District & Sessions Judge, Samastipur in connection with Sessions Trial No.329 of 2023 arising out of Muffasil P.S. Case No.357 of 2017.

(Ramesh Chand Malviya, J)

Brajesh Kumar/-

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