

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75313 of 2023

Arising Out of PS. Case No.-131 Year-2023 Thana- SUPAUL District- Supaul

Sumit Kumar Singh, Son of Niraj Prasad Singh, R/o Village Dhadha, Ward
No. 1, P.S.- Ratanpura, District Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar No.III, Advocate

For the Opposite Party/s : Mr. Aditya Narayan Singh.1, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 20-02-2024 Heard learned counsel for the petitioner, learned
APP for the State and perused the case diary.

2. The petitioner seeks bail in Supaul P.S. Case No.
131 of 2023, instituted for the offences punishable under
Sections 302, 120(B), 34 of the Indian Penal Code and Section
27 of the Arms Act.

3. The prosecution case, in short, is that, the marriage
of informant's brother (deceased) was solemnized with one
Reena Kumari and out of that wedlock two children were born.
It is further alleged that her sister-in-law had developed illicit
relationship with one Binod Kumar Paswan. It is further alleged
that on 19.02.2023, the informant heard gunshots near her house
and when she came out, she found her brother lying on the road



in injured condition and his clothes were soaked in blood. The informant surmises that her sister-in-law and Binod Paswan along with other persons had hatched a conspiracy and killed her brother.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. The petitioner is not named in the F.I.R and during the investigation his name was transpired from the confessional statement of co-accused namely Binod Kumar Paswan. Learned counsel for the petitioner humbly submits that there is no cogent material in the case diary to constitute offence against the petitioner. The petitioner was not put on T.I. Parade. The petitioner has no any criminal antecedent as has been stated in paragraph no. 3 of the present bail application. Charge-sheet has already been submitted in the present case. Learned counsel for the petitioner further submits that similarly situated co-accused have been granted bail by Co-ordinate Benches of this Court vide order dated 03.08.2023 passed in Cr. Misc. No. 48427 of 2023 and order dated 18.12.2023 passed in Cr. Misc. No. 76509 of 2023.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.



6. Considering the aforesaid facts and circumstances of the case, taking into account the period of custody undergone by the petitioner and claim based on parity, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Supaul P.S. Case No. 131 of 2023.

(Rudra Prakash Mishra, J)

Rajorshi/-

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