

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72945 of 2023

Arising Out of PS. Case No.-97 Year-2023 Thana- MATIHANI District- Begusarai

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Amit Kumar Son Of Late Bhagwan Singh Resident Of Village - Sihma, P.S. -
Matihani, District - Begusarai

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Thakur, Adv.
Mrs. Vaishnavi Singh

For the Opposite Party/s : Mr. Chandra Sen Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 16-01-2024 Heard learned counsel for the petitioner,

learned counsel for the informant and learned APP for

the State.

The petitioner has filed the instant application

for grant of regular bail in a case registered for the

offences punishable under Section 363/34 of the Indian

Penal Code in which subsequently Sections 302, 201,

120(B) of the Indian Penal Code were also added.

As per allegation in the FIR, informant's son

went from his house, after receiving a call on his mobile,

and he did not return. Even after intense search, he



could not be traced and his mobile was also switched off. It is alleged that petitioner along with other persons have killed her son under criminal conspiracy.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and he has falsely been implicated in the present case. Neither the petitioner was named in F.I.R. nor there is any eye witness of the alleged offence. The name of petitioner sprang up in this case on the basis of confessional statement of co-accused Rohit Kumar. There is no direct evidence against the petitioner. Merely on the basis of basis of suspicion and confessional statement of co-accused persons, he has been dragged in this case. Moreover, the petitioner is languishing in judicial custody since 06.07.2023.

Learned APP appearing for the State and learned counsel for the informant hasve vehemently opposed the prayer for Bail and submitted that petitioner has given Rs. 3,00,000/- to Ramadhar Singh for the



commission of offence.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Matihani P.S. Case No. 97 of 2023 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st class, Begusarai.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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