

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77353 of 2023

Arising Out of PS. Case No.-170 Year-2023 Thana- KHUSRUPUR District- Patna

Shiv Shankar Kumar Son Of Raj Tilak Chauhan Resident Of Village -
Sirnama, P.O. And P.S. - Vena, Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 83358 of 2023

Arising Out of PS. Case No.-170 Year-2023 Thana- KHUSRUPUR District- Patna

Munni Lal Das S/O Late Ramkhelavan Das Resident Of Village- Kurtha,
Police Station- Khushrupur, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 77353 of 2023)
For the Petitioner/s : Mr.Nityanand Mishra
For the Opposite Party/s : Mr.Jagdhara Prasad
(In CRIMINAL MISCELLANEOUS No. 83358 of 2023)
For the Petitioner/s : Mr.Jay Ram Prasad
For the Opposite Party/s : Mr.Md. Matloob Rab

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 30-01-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners have prayed for regular bail in a
case instituted for the offence under Sections 341, 323, 325,
307, 302 and 120B of the Indian Penal Code but charge sheet
has been submitted under Sections 341, 323, 325, 307, 302,



120B/34 of the IPC.

3. As per prosecution case, some unknown miscreants assaulted the mother of the Vinay Kumar and his son Aman Kumar, due to which they sustained injury and the mother of Vinay Kumar died during course of treatment.

4. It is submitted by learned counsel for the petitioners that petitioners have been falsely implicated in this case. They have committed no offence. Petitioners are not named in the FIR and the same has been lodged against unknown persons. The name of the petitioners has come into light, on the basis of confessional statement of co-accused Shivani Kumari, which has got no evidentiary value in the eyes of law. Nothing incriminating articles have been recovered from the conscious possession of the petitioners. Petitioners have got no criminal antecedent as stated in para-3 of the bail petition. They are languishing in judicial custody for about eight months.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged



on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) each with two sureties of the like amount each to the satisfaction of the learned Court concerned in connection with Khusrupur P.S. Case No. 170 of 2023.

(Sunil Kumar Panwar, J)

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