

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No 819 of 2023**

Arising Out of PS. Case No.-95 Year-2022 Thana- DHAKA District- East Champaran

Munna Kumar S/O Late Dhanik Lal Rai R/o village-Hardia, P.S-Kundwa
Chainpur, District-East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr Prateek Tandon, Advocate

For the Respondent/s : Mr Nawal Kishore Prasad, APP

CORAM: HONOURABLE MR JUSTICE ARVIND SINGH CHANDEL

ORAL ORDER

5 02-08-2024 Heard.

2 Being aggrieved with the order dated 31.10.2023 passed by the learned Additional Sessions Judge I, East Champaran, Motihari in Cr Appeal No 24 of 2023 whereby the learned appellate Court affirmed the order dated 05.09.2023 passed by the JJB, East Champaran at Motihari in connection with Dhaka PS Case No 95 of 2022 whereby the learned JJB rejected the prayer for grant of bail to the petitioner.

3 According to the case of the prosecution, on 15.02.2022, some unknown persons committed the murder of one Varun Kumar Singh. The elder brother of deceased Varun Kumar Singh, namely, Kanhaiya Singh lodged the report on the basis of which FIR has been registered against some unknown



persons. During the course of investigation, it was found that the petitioner herein is also involved in the said crime along with other accused persons. Hence, he has been taken into custody on 15.04.2022.

4 Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. The name of the petitioner is not mentioned in the FIR. There is no any eye witness available in this case and no incriminating article has been recovered from the possession of the petitioner. He has been implicated in this case merely on suspicion. He is a minor boy and other accused persons of the said crime have been granted the benefit of regular as well as anticipatory bail by this Court. Social Investigation Report also does not suggest anything against the petitioner herein. Thus, it is prayed that the petitioner may also be granted the benefit of bail.

5 Considering the above facts, this application is allowed.

6 Let the petitioner above named be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge I, East Champaran,



Motihari in Dhaka PS Case No 95 of 2022 (Trial No 1166 of 2023) subject to the following conditions:

(i) That one of the bailors should be the father of the petitioner, and

(ii) That the father of the petitioner shall file an affidavit before the concerned Court below, giving specific undertaking that after release of the petitioner on bail, he will take proper care of the petitioner and will not allow him to fall into bad company.

(Arvind Singh Chandel, J)

M.E.H./-

U		T	
---	--	---	--

