

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34185 of 2025

Arising Out of PS. Case No.-166 Year-2024 Thana- ALAMNAGAR District- Madhepura

Fulo Singh @ Fultu Singh @ Fuleshwar Singh S/o Bisho Singh Resident of village- Khapur, ward no.12 P.S.- Alamnagar (Ratwara O.P.), District- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimal Kumar Jha, Adv.
For the Opposite Party/s : Mr. Raj Kishor Singh, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 18-06-2025 Heard learned counsel for the petitioner and learned APP for the State. Perused the case diary.

2. The petitioner seeks bail in connection with Alamnagar (Ratwara O.P.) P.S. Case No. 166 of 2024 instituted for the offences under Sections 302, 120B of the Indian Penal Code and 27 of the Arms Act.

3. Prosecution case, in short, is that, on opposition to a road construction project in Ward No. 12, the accused including the petitioner encircled the informant's brother, namely, Mukesh Kumar Singh @ Munna and shot him, while other accused persons brutally assaulted him with sharp weapons, causing his death on the spot.

4. Learned counsel for the petitioner submitted that the



petitioner has falsely been implicated in the present case merely on the basis of suspicion. Learned counsel for the petitioner submitted that general and omnibus allegation has been made against the petitioner. There is no specific allegation of firing against this petitioner. Petitioner is only a member of mob. Learned counsel for the petitioner further submits that the petitioner has neither participated in the commission of alleged occurrence nor has any knowledge of the alleged occurrence. Charge-sheet has been submitted in this case. There is no eye-witness to the alleged occurrence. Even the Informant is not the eye-witness in this case. It has been submitted on behalf of the petitioner that the petitioner is in custody since 07.09.2024 and has no criminal antecedent. Learned counsel for the petitioner further submits that the co-accused Etwari Sharma has already been granted bail by this Court vide order dated 19.02.2025 passed in Cr. Misc. No. 79816 of 2024.

5. Learned A.P.P. 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, there being no specific allegation against the petitioner of assaulting or firing upon the deceased, the period of custody undergone by the petitioner as also the petitioner



having no criminal antecedent, 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/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Alamnagar (Ratwara O.P.) P.S. Case No. 166 of 2024.

(Rudra Prakash Mishra, J)

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