

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59796 of 2024

Arising Out of PS. Case No.-301 Year-2023 Thana- CHAKIA District- East Champaran

Shiv Kumar Singh @ Rajkumar Singh @ Bulet Singh @ Shiv Kumar aged about 38 years, male, Son of Late Shankar Singh Resident of Vill- Fultakiya, P.S.- Kesariya, District- East Champaran, (Motihari)

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar, Advocate
For the Opposite Party/s : Mr. Jai Narain Thakur, APP.

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

4 10-01-2025 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Chakia P.S. Case No. 301 of 2023 instituted for the offences punishable under Sections 302, 120B of the Indian Penal Code and Section 27 of the Arms Act.

3. As per the allegation in the FIR, it is a case of murder of son of the informant.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence and has falsely been implicated in this case. Petitioner is not named in the FIR. Petitioner is made accused in the present case only on



the basis of confessional statement of co-accused Rupesh Singh @ Rupesh Kumar Singh. It is submitted that specific allegation of gun shot is against co-accused Pushkar Singh and Rupesh Singh. Nothing has been recovered from the conscious possession of the petitioner. Petitioner is in custody since 07.10.2023.

5. Learned APP opposes the prayer for bail.

6. From perusal of the FIR, case diary and the impugned order of the learned 11th Additional Sessions Judge, East Champaran, Motihari dated 09.05.2024, it appears that petitioner is not named in the FIR and his name transpired in this case on the basis of confessional statement of co-accused Rupesh Singh. Similarly situated co-accused persons namely Rahul Singh @ Abhishek Kumar @ Mukhia, Vivek Kumar and Amit Srivastav have been granted bail by a Co-ordinate Bench of this Court as well as this Court in Cr. Misc. Nos. 82378/2023, 14090/2024 and 14943/2024 *vide* orders dated 27.02.2024, 06.03.2024, 22.04.2024, respectively. Accordingly the prayer for bail of the petitioner is allowed. Let the petitioner above named 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 the learned 11th Additional Sessions Judge, East



Champaran, Motihari in connection with Sesstions Trial No. 363
of 2024 arising out of Chakia P.S. Case No. 301 of 2023.

(Ramesh Chand Malviya, J)

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