

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71383 of 2024

Arising Out of PS. Case No.-270 Year-2019 Thana- BEGUSARAI MUFFASIL District-
Begusarai

=====

Amit Singh @ Amit Kumar S/O Devendra Singh @ Devchandra Singh R/O
Village Amraul Kiratpur, P.S. Singhaul, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Gaurav Kumar, Advocate

For the Opposite Party/s : Mr.Nand Kishore Prasad, APP

=====

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 18-01-2025 Heard learned counsel for the petitioner, learned APP

for the State and the learned counsel appearing on behalf of the

informant.

2. The petitioner seeks bail in a case registered for the
offences punishable under Section 302/34 of the Indian Penal
Code in connection with Begusarai Muffasil P.S. Case No.270
of 2019.

3. The learned counsel for the petitioner submits that
the petitioner has antecedent of five cases and the informant
alleges that his younger brother Gopal Singh after taking dinner
was sleeping on a cot at the door on 30.05.2019, further on
31.05.2019, when the informant went at the door at 4.00 A.M.
with tea, he saw that his brother was shot in the head, further
alleges that Arun Kumar Singh along with Amit Singh



(petitioner) had threatened them on 24.05.2019 to kill.

4. The learned counsel appearing on behalf of the petitioner submits that petitioner has been falsely implicated in the instant case, based on suspicion, as the informant is not an eyewitness to the occurrence, it is also submitted that police after threadbare investigation came to a considered conclusion that petitioner is innocent thus submitted final form exonerating the petitioner of the allegation, but then the learned trial court took cognizance differing with the police report. The learned counsel for the petitioner thus submits that when one investigating agency after threadbare investigation submitted final form exonerating the petitioner from the allegation whether it would be prudent for this Court to send the petitioner to jail based on an order of cognizance which came to be taken based on the same police report which had exonerated the petitioner. It is also submitted that petitioner is in custody since 03.07.2024.

5. The learned APP for the State and the learned counsel appearing on behalf of the informant opposes the bail application of the petitioner.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named is directed to be released on bail on his furnishing bail-bonds in the sum of



Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, Ist Class, Begusarai in connection with Begusarai Muffasil P.S. Case No.270 of 2019.

7. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

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

