

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48716 of 2016

Arising Out of PS.Case No. -82 Year- 2016 Thana -GHORASAHAN District-
EASTCHAMPARAN(MOTIHARI)

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Munna Sah, Son of Baidyanath Sah, resident of Village- Bhandar, P.S.-
Dhaka, (Pachpakari O.P.) District- East Champaran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Rajan, Advocate

For the Opposite Party : Mr. Sri Ashok Kumar Singh (APP)

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 11-01-2017 Heard learned counsel for the petitioner as well as

learned A.P.P. for the State.

The application is for grant of bail for the offence
under Sections 302/201 of the Indian Penal Code.

It has been submitted on behalf of petitioner that
petitioner is not named in the F.I.R. and after four months of the
occurrence, statement of one Muskan Devi has been recorded in
which name of petitioner transpires as she has stated that
petitioner and others were standing near the house of the deceased
and except confessional statement of accused and co-accused,
there is nothing against the petitioner. It has also been submitted
that one similarly situated co-accused Sudhir Kumar @ Sudhir
Kuswaha has already been granted bail by a co-ordinate Bench of



this Court vide order dated 20.12.2016 passed in Cr. Misc. no. 50097 of 2016 and lastly, petitioner is in custody since 04.08.2016.

Heard learned A.P.P. also. Learned A.P.P. has opposed the prayer for bail, however, he could not controvert the fact that similarly situated co-accused has already been granted bail by a co-ordinate Bench of this Court.

Having heard both sides. In view of the facts stated above, let the abovenamed petitioner be enlarged on bail on furnishing bail bond of Rs. 10,000/-(Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of Sub-Divisional Judicial Magistrate, Dhaka East Champaran at Motihari in connection with Ghorasahan P.S. case no. 82 of 2016 with a condition that petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

(Vinod Kumar Sinha, J.)

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