

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5192 of 2019

Arising Out of PS. Case No.-399 Year-2018 Thana- KOILWAR District- Bhojpur

HARIHAR RAM, aged about 45 years, Male, Son of Late Mangar Ram,
Resident of Village- Chanpura, P.S. Koelwar, District-Bhojpur at Ara.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Manoj Kumar Singh, Advocate.
For the Opposite Party : Mr.Raj Ballabh Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 23-04-2019 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is languishing in custody since
02.10.2018 in a case for the offence registered under Section
302 of the I.P.C.

The prosecution story, in brief, is that on 01.10.2018
at about 4.00 P.M. in the evening, the petitioner came to the
house of the informant and told that his buffalo is ill so he took
his father-in-law. The informant and his wife went for cutting
the grass in the Banihar and when he came to his house he saw
that the head of his father-in-law had been cutting from his
body. Therefore, he confident that this petitioner had killed his
father-in-law.

It has been submitted by learned counsel for the



petitioner that the petitioner has got no criminal antecedent. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. There is no eye witness to the alleged occurrence. The petitioner has been made accused in the present case due to mistake of fact. The informant has filed an application in the learned court below stating that the case has been instituted due to mistake of fact, vide Annexure-2 to the present application.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, 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 C.J.M., Bhojpur, Ara, in connection with Koelwar P.S. Case No. 399 of 2018.

(Sudhir Singh, J)

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