

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1564 of 2019

Arising Out of PS. Case No.-294 Year-2018 Thana- BHAGALPUR RAIL P.S. District-
Bhagalpur

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RAMA SHANKAR PRASAD @ RAMSANKAR PRASAD Son of Prabhu
Sah Resident of Village - Chandwara, P.S.- Muzaffarpur Town Thana, Distt -
Muzaffarpur.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Rajive Ranjan Singh
For the Respondent/s : Mr.Sadanand Paswan

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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

6 08-07-2019 Heard learned counsel for the appellant and
learned Spl. PP for the State.

Appellant seeks bail in a case registered under
Sections 363 of the Indian Penal Code, further added with
Sections 379 and 411 IPC, further added with 364 and 302/34
IPC and Sections 3(2)(v) of the SC/ST Act.

Unknown miscreants are said to have committed
murder of the father of the informant by administering him
poison laced substance in the Farakka Express on the way from
Bhagalpur to Gopalganj and one of the mobile of the deceased
is said to have been recovered from the possession of the
appellant.

It is submitted by learned counsel for the appellant



that the appellant has no concern with the aforesaid occurrence. He has been falsely implicated in the case due to dirty village politics. He is not named in the F.I.R. There is no eye witness of the occurrence. The mobile of the deceased has not been seized from the possession of the appellant and there is no seizure list of the aforesaid mobile in the case diary. There is nothing cogent on record indicating the complicity of the appellant in the occurrence barring his confessional statement which has no evidentiary value in the eye of law. Deceased has not died to administering him poison rather due to injury sustained on his head. Appellant has no criminal antecedent and has been languishing in custody since 17.02.2019.

Learned Spl.PP for the State opposed the bail petition.

In the facts and circumstances of the case, the above named appellant is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Addl. District and Sessions Judge-III, Bhagalpur in connection with Bhagalpur Rail P.S. Case No. 294/18, G.R. No.299/18.

Accordingly, the impugned order is set aside and



appeal is allowed.

(Prakash Chandra Jaiswal, J)

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