

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2029 of 2019**

Arising Out of PS. Case No.-91 Year-2019 Thana- BIHARSHARIF District- Nalanda

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Mister @ Md. Mister S/o Late Mustafa @ Late Md. Mustafa R/o Mohalla-
Katrapar, P.S.- Bihar, District- Nalanda. Appellant/s

Versus

The State of Bihar. Respondent/s

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Appearance :

For the Appellant/s : Mr. Syed Ehteshamuddin
For the Respondent/s : Mr. Sadanand Paswan

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

ORAL ORDER

4 03-07-2019 Heard learned counsel for the appellant and learned
Special Public Prosecutor for the State.

The appellant seeks bail in connection with Bihar
P.S. Case No. 91 of 2019 registered under Sections 302 &
201/34 of the Indian Penal Code and Section 3 (I) (r) (s) of the
Scheduled Castes and Schedules Tribes (Prevention of
Atrocities) Act, 1989.

Three named accused persons including the
appellant and four unknown miscreants are suspected to have
committed murder of the husband of the informant over the
money of toddy consumed by them taking from her husband.
Appellant is said to be regular visitor of the deceased.

It is submitted by learned counsel for the appellant
that no such occurrence as alleged ever took place. Appellant
has been falsely implicated in the case due to dirty village



politics. There is no eye witness of the occurrence. There is nothing on the record indicating the complicity of the appellant barring the confessional statement of the appellant and co-accused Sachin Chaudhary which has no evidentiary value in the eye of law. Allegation levelled is not specific rather general and omnibus in nature. Appellant has no criminal antecedent and has been languishing in custody since 23.02.2019.

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

In the facts and circumstances of the case, the above named appellant is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned 1st Addl. Sessions Judge cum Special Judge SC/ST , Bihar Sharif in connection with Bihar P.S. Case No.91 of 2019 (G.R. No.813 of 2019).

Accordingly, the impugned order is set aside and this appeal is allowed.

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(Prakash Chandra Jaiswal, J)

