

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6602 of 2022

Arising Out of PS. Case No.-212 Year-2021 Thana- MOTIPUR District- Muzaffarpur

MUNTUN SAH S/o Sathu Sah R/o village- Mahwal, P.S.- Motipur, Distt.-
Muzffarpur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhannjay Kumar No 2

For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 29-09-2022 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Motipur
P.S. Case No. 212 of 2021 registered for the offence under
Sections 302 and 34 of the Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in
custody since 30.08.2021.

The allegation against the petitioner is to commit
murder of husband of the informant along with other co-accused
persons for previous enmities founded over disputed money
transactions.

Learned counsel appearing on behalf of the petitioner



submitted that admittedly, informant is not the eye-witness of the occurrence, where, entire allegation is based upon suspicion in the background of previous enmities. It is further submitted that the present FIR was lodged after 04 days of occurrence, without explaining the circumstances, causing delay to lodge FIR. It is further pointed out by learned counsel that similarly situated co-accused persons have already been granted anticipatory bail by one of the learned co-ordinate Bench of this Court through Cr. Misc. No. 7191 of 2022 dated 01.08.2022. While concluding the argument, it is submitted that petitioner is a man of clean antecedent and moreover, investigation of this case has been completed, for which, charge-sheet has already been submitted, as such, there is no chance of tampering with the evidence.

Learned APP, opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as informant is not the eye-witness of the occurrence, where, nothing surfaced during course of investigation to connect this petitioner with the present set of occurrence coupled with the fact that charge-sheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Motipur P.S. Case No. 212



of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned 11th Additional Sessions Judge, Muzaffarpur/concerned court, subject to the condition as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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