

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41158 of 2021

Arising Out of PS. Case No.-476 Year-2020 Thana- MOTIHARI MUFASIL District- East
Champaran

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DASHRATH PRASAD S/O BASUDEV PRASAD R/O VILLAGE-
DHEKHA FAKIRA TOLA, P.S-MUFASSIL MOTIHARI, DISTRICT-EAST
CHAMPARAN.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Patanjali Rishi, Advocate

For the Opposite Party/s : Mr. Anuj Kumar Shrivastava, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 21-04-2022 Heard learned counsel for the petitioner and learned

Additional Public Prosecutor appearing for the State.

Petitioner seeks regular bail in connection with
Motihari Muffasil P.S. Case No. 476/2020 registered for the
offences punishable under Sections 302/120-B of the Indian
Penal Code 1860.

The allegation in nutshell is that three persons arrived
at the door of the informant and took her father-in-law along
with them and on the next date, the dead-body of the
informant's father-in-law was found in the field having cut
injury on his neck. The name of petitioner along with others
have been disclosed by the informant that they used to threaten
the father-in-law and husband.



Learned counsel for the petitioner submits that the petitioner has got no criminal antecedent and he has falsely been implicated in this case due to previous enmity. He further submits that except suspicion against the petitioner and other named accused persons, no other material is there against the petitioner. Referring to paragraph-8 of the bail petition, learned counsel submits that the deceased was begger and he was not the father-in-law of the informant and one Shobha Devi lodged Mufassil P.S. Case No. 296 of 2018 against the husband and other family members of the informant for the offences under Sections 302, 120-B, 201, 379/34 of the Indian Penal Code, and to build undue pressure on the witnesses of that case including the petitioner, he has been implicated in this case by the informant. Learned counsel further submits that similarly situated co-accused persons have been granted regular/anticipatory bail by this Court and by a co-ordinate Bench of this Court in Cr. Misc. 58596/2021, 439/2022 and 20826 of 2021 respectively. The petitioner is in custody since 19.1.2021 and charge sheet has already been submitted.

Regards being had to the submission made by the parties and taking into consideration the materials on record, the fact that similarly situated co-accused persons have been



granted regular/anticipatory bail by co-ordinate Bench of this Court as well as by this Court, the petitioner has got no criminal antecedent and except suspicion, there is no other material against him, he is in custody since 19.1.2021 and charge sheet has already been submitted, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran, Motihari, in connection with Motihari Muffasil P.S. Case No. 476 of 2020.

(Anil Kumar Sinha, J)

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