

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50062 of 2021

Arising Out of PS. Case No.-10 Year-2021 Thana- DARBHANGA RAIL P.S. District-
Samastipur

Prabhat Pandey @ Prabhat Kumar Pandey @ Prabhat Kumar Son of Late
Sudarshan Pandey Resident of village - Naya Bazar Ward No.- 3, P.S.-
Saharsa Town, District - Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Thakur
Mr.Udbhav

For the Opposite Party/s : Mr.Bharat Bhushan

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 20-01-2022 Heard learned counsel for the parties through video
conferencing.

The petitioner seeks bail in Darbhanga Rail
(Sitamarhi) P.S. Case No. 10 of 2020, registered for the offence
under Section 302 / 201 of the Indian Penal Code.

As per the F.I.R., this petitioner is alleged to have
killed the brother of informant and in order to conceal the
evidence, set the quarter on fire.

It is submitted on behalf of petitioner that only on
suspicion, petitioner has been made accused. As a matter of fact,
the deceased and the petitioner were living in same quarter.
During course of investigation, no evidence has been collected
to show complicity of the petitioner in the aforesaid crime.



Petitioner is in custody since 21.02.2021.

However, learned A.P.P. for the State has opposed the bail petition and submitted that this petitioner, who was living with the deceased, has committed the offence, as he had some enmity with the deceased.

Considering the aforesaid facts and circumstances as well as the fact that except suspicion, there is no other material to show complicity of the petitioner in the aforesaid crime, the bail petition of petitioner is allowed. Let the above named petitioner be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Railway Samastipur in connection with Darbhanga Rail (Sitamarhi) P.S. Case No. 10 of 2021.

(Prabhat Kumar Singh, J)

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