

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51523 of 2021**

Arising Out of PS. Case No.-19 Year-2021 Thana- BELSAND District- Sitamarhi

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GARBHU SAH @ GARBHU SONY S/o- RAM NANDAN SAH Resident of
Village- Jalalpur Dakshin Pasi Tola, P.S.- Belsand, District- Sitamarhi.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Akshansh Ankit, Advocate

For the Opposite Party/s : Mr.Navin Kumar Pandey, Addl Public Prosecutor

for the informant Mr. S. Anand, Advocate

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 25-01-2022 Heard learned counsel for the petitioner, the State and
the informant.

The petitioner prays for grant of regular bail in a case registered for the offence punishable under section 302 and other ancillary sections of the Indian Penal Code and sections 25(1-B)a and 27 of the Arms Act.

As per the prosecution case, co-accused Md. Mansur and the petitioner Garbhu Soni overpowered the informant's father and co-accused Diwakar Singh fired on his neck causing his death in the hospital.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. Petitioner is not the assailant of the deceased. Petitioner



has claimed clean antecedent and he is in custody since 27.2.2021. Charge sheet has already been submitted. Similarly situated co-accused has already been allowed bail by this Court vide order dated dated 18.1.2022, passed in Cr.Misc.No. 43906/2021.

Learned counsel appearing for the State and the informant oppose the prayer for bail. They submit that the petitioner facilitated commission of the offence.

Considering the aforesaid facts and circumstances of the case, prayer for bail of the petitioner is allowed. Let the petitioner, as named above, 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 Chief Judicial Magistrate, Sitamarhi in Belsand Police Station Case No. 19 of 2021.

(Prabhat Kumar Singh, J)

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