

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58596 of 2021

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

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SAKALDEV PRASAD S/o LATE RAMKRIT PRASAD @ KRIT PRASAD
R/o VILLAGE-DHEKAHA FAKIRA TOLA, P.S.-MUFFASIL, DISTRICT-
EAST CHAMPARAN.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Krishna Kant Singh, Advocate

For the Opposite Party/s : Mr. Chandra Bhushan Pd., A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 10-02-2022 Heard Mr. Krishna Kant Singh, learned counsel for

the petitioner and Mr. Chandra Bhushan Pd., learned Additional

Public Prosecutor appearing for the State through video

conferencing.

Petitioner seeks regular bail in connection with

Motihari Muffasil P.S. Case No. 476/2020 registered for the

offences punishable under Sections 302/120B 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 her father-in-law and husband.

Learned counsel for the petitioner submits that the petitioner has got no criminal antecedents 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. He next submits that the petitioner along with others had preferred anticipatory bail bearing Cr. Misc. No. 20826 of 2021, but since the petitioner was arrested during pendency of the anticipatory bail application, the same against him was dismissed as withdrawn. However, the similarly situated co-accused persons were granted anticipatory bail by co-ordinate Bench of this Court in Cr. Misc. 20826 of 2021. The petitioner is in custody since 20.7.2021 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 anticipatory bail by co-ordinate Bench of this Court, the petitioner has got no criminal antecedent and except suspicion, there is no other material against him, he is in custody since



20.7.2021 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.

It is made clear that at the time of furnishing bail bonds all the parties shall follow the guidelines regarding social distancing.

(Anil Kumar Sinha, J)

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