

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71758 of 2021

Arising Out of PS. Case No.-133 Year-2020 Thana- GANGABRIDGE District- Vaishali

HARENDRA DAS S/O BINDI DAS R/o village- Tesaria, P.S.- Gangabridge,
District- Vaishali

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Bela Singh, Advocate
For the Opposite Party/s : Mr.Zainul Abedin, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 11-05-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in a case registered for the offences punishable under Sections 302, 201 and 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner is in custody since 16.12.2020, is a person with clean antecedent and charge-sheet has been submitted in the case.

The informant alleges that his younger brother received a call on his mobile and went out of the house further the informant also came out of his house and saw the petitioner along with Awdhesh, Baban and Gauri standing at his door, further his brother accompanied the accused persons and when he did not return, the informant went to the house of the accused



persons to inquire but they did not give any satisfactory answers to his queries about his brother, further search was made and informant through villagers came to know about the death of his brother whose body was lying in a well near the house of Pankaj Kumar, accordingly the body was retrieved and thus alleges that the accused person killed his brother.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case, the entire allegation hinges around suspicion and the informant is not an eyewitness to the occurrence. It is also submitted that if the deceased or the informant had any apprehension from the accused persons then the deceased would not have accompanied them nor the informant would have allowed the deceased to accompany them. It is further submitted that co-accused Awadhesh and Gauri have been granted bail vide order dated 01.07.2021 in Cr. Misc. No. 29616 of 2021, it is submitted that the petitioner also suffers from disease.

Learned A.P.P. for the State opposes the prayer for bail of the petitioner.

Considering the fact that the petitioner is in custody since 16.12.2020, is a person with clean antecedent, charge-sheet has been submitted in the case, co-accused have been



granted bail and taking into consideration the submissions made by the learned counsel for the petitioner, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Sessions Trial No. 424 of 2021 arising out of Gangabridge P.S. Case No. 133 of 2020.

(Satyavrat Verma, J)

Rishi/-

U		T	
---	--	---	--

