

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7443 of 2023

Arising Out of PS. Case No.-41 Year-2021 Thana- PHULWARIYA District- Gopalganj

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Guddu Sah @ Gudu Khatik @ Khatik S/O Phulena Khatik Resident Of
Village- Ram Nagar, P.S.- Bhore, District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ashok Kumar Singh

For the Opposite Party/s : Mr.Manoj Kumar

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 02-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 302, 201/34 and 120B of the IPC.

The allegation against the petitioner along with co-accused persons is that they committed murder of the husband of the informant.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case merely on the basis of suspicion. The informant is not an eye witness of the alleged occurrence and no external injury was found on the body of



the deceased. It is further submitted that the husband of the informant had taken loan from the petitioner's family and his husband is not in possession to pay the loan amount due to which he committed suicide by eating poison. Similarly situated co-accused has already been granted bail by a coordinate Bench of this Court vide order dated 12.05.2022 passed in Cr. Misc No. 39085 of 2022. The petitioner is languishing in judicial custody since 30.05.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as judicial custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Phulwariya P.S. Case No. 41 of 2021 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-XVI, Gopalganj.

(Sunil Kumar Panwar, J)

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