

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21352 of 2023

Arising Out of PS. Case No.-504 Year-2022 Thana- PAKARIBARAW District- Nawada

Biru Sao@ Viru Saw Son Of Late Kailash Sao Resident Of Village
Mathgulani ,POLICE Station Pakaribarawan ,DISTRICT Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajeev Nayan, Advocate

For the Opposite Party/s : Mr. Dr. Kumar Uday Pratap, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 22-05-2023 Heard learned counsel for the petitioner and learned

A.P.P. for the State.

2. The petitioner seeks bail in connection with Pakaribarawan P.S. Case No. 504 of 2022 dated 19.10.2022, instituted for the offence punishable under Sections 302, 34 of the Indian Penal Code.

3. The prosecution case, in brief, is that on 10.10.2022 at about 11:00 pm, the petitioner persuaded the informant's husband (deceased) to go with him for *Bhajan-Kirtan*. On 11.10.2022 at 01:00 am, the people at *Bhajan-Kirtan* found the husband of informant injured under the bridge, thereafter informant brought him to hospital where at around 10:00 am, he disclosed name of other two co-accused persons as his assaulter. On 19.10.2022 at about 04:00 am informant's husband died on their way back to home from hospital.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and he is falsely implicated in this case. It is further submitted that the date of occurrence is 10.10.2022 but the F.I.R. was lodged on 19.10.2022. He further submitted that there is no specific allegation against the petitioner and only the names of other co-accused namely, Karu Manjhi and Sangat Manjhi were disclosed to the informant by the deceased and petitioner is nowhere mentioned in the said occurrence. Lastly, it has been submitted that the petitioner is in custody since 09.01.2023 having no criminal antecedents and charge-sheet has been submitted in the case.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st class or his successor Court, Nawada in Pakaribarawan P.S. Case No. 504 of 2022.

(Khatim Reza, J)

Sankalp/-

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