

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50572 of 2023

Arising Out of PS. Case No.-69 Year-2023 Thana- WARISLIGANJ District- Nawada

Prabhat Kumar Son Of Sri Baso Mahto @ Brahmdeo Prasad Resident Of
Village- Sonbarsa, Ps- Warisaliganj, Dist- Nawada

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vaishnavi Singh

For the Opposite Party/s : Mr.Dr. Indiwari Kumari

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 18-09-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 302, 201, 34 of the Indian Penal Code.

3. The petitioner along with other co-accused persons are alleged to have committed murder of the informant's brother. The informant saw the accused persons including the petitioner while they were fleeing after committing the offence.

4. 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 rather he saw the petitioner while he was fleeing



from the place of occurrence as such, no specific allegation of commission of murder levelled against him. It is further submitted that it is a case of last scene and except suspicion no consistent material has come out against the petitioner. He is languishing in judicial custody since 01.02.2023. Moreover, similarly situated co-accused namely, Sunil Kumar Prasad has already been granted bail by this Court vide order dt. 24.8.2023 passed in Cr. Misc. No. 41505 of 2023.

5. Learned APP appearing for the state has vehemently opposed the prayer of regular bail and submitted that the petitioner is named in the FIR and he was also present at the place of occurrence.

6. Considering the facts and circumstances of the case as well as custody period, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Warisaliganj P.S. Case No. 69 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Ist Class, Nawada.

(Sunil Kumar Panwar, J)

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