

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55872 of 2023

Arising Out of PS. Case No.-227 Year-2022 Thana- PIRPAINTI District- Bhagalpur

GURUDEO KUMAR son of Raj Kumar Sharma Village- Mohanpur
Tilakdhari Tola Ps- Bakharpur OP Dist- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dr. Manoj Kumar

For the Opposite Party/s : Mr.Manoj Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 01-09-2023 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 302/34 of the Indian Penal Code and Section 3/4 of the Witch Craft Act.

3. As per prosecution case, the petitioner along with others are alleged to have committed murder of the informant's wife by calling her dian.

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 due to dirty village politics. The informant is not eye witness of the alleged occurrence. No specific overt-act attributed to the petitioner rather general and omnibus allegation leveled against him. No consistent material



has come on record which suggests the complicity of the petitioner. The petitioner has got no criminal antecedent as stated in para-3 of the bail petition. Moreover, similarly situated other co-accused persons have already been granted bail by this Court vide order dt. 17.5.2023 passed in Cr. Misc. No. 10814 of 2023 and in support of this Annexure-2 has been annexed with this petition. It is further submitted that the petitioner is languishing in judicial custody since 19.7.2022.

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

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Pirpainti (Bakharpur) P.S. Case No. 227 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Bhagalpur.

(Sunil Kumar Panwar, J)

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