

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63062 of 2023**

Arising Out of PS. Case No.-256 Year-2022 Thana- AWTARNAGAR District- Saran

=====

BHARAT PRASAD @ LALLU @ LALLU SAH @ BHARAT SAH, SON
OF JHAGRU SAH, RESIDENT OF VILLAGE- NARAON, P.S.-
AWTARNAGR, DISTRICT- SARAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Mishra, Advocate

For the Opposite Party/s : Ms. Renu Kumari, APP

=====

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 06-12-2023

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Avtar Nagar P.S. Case no. 256 of 2022, registered under sections 302, 120B and 34 of the Indian Penal Code and section 27 of the Arms Act.

3. As per the prosecution case, the informant states that three named accused persons took away his son, brutally assaulted him as a result of which he also sustained gunshot injury and died.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case because of enmity and pending disputes between the parties. There is no eye witness to the occurrence. As would be evident from the final report (Annexure-2), the case against the petitioner was not



found to be true, however differing from the same the learned trial Court took cognizance vide order contained in Annexure-3 to the petition. The petitioner is in custody since 12.7.2023.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegation against the petitioner, the material that has transpired in course of investigation, the petitioner not having been sent up for trial by the police and his being in custody since 12.7.2023, the petitioner is directed to be enlarged on bail in connection with Avtar Nagar P.S. Case no. 256 of 2022, 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 Judicial Magistrate, First Class, Saran at Chapra.

(Partha Sarthy, J)

avinash/-

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

