

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71770 of 2023

Arising Out of PS. Case No.-154 Year-2023 Thana- JALALPUR District- Saran

Prabhat Kumar S/O Satrudhan Kumar @ Milu Kuar Village- Bangra Nadipar,
Ps. Jalalpur, Dist. Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Singh

For the Opposite Party/s : Mr.Anil Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 20-12-2023 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 342, 147, 148, 149 and 302 of the Indian Penal Code.

3. As per prosecution case, the husband of the informant who had been working as Munshi of one Md. Adil@ Bacha Miya in his factory, dealing with bones, did not return after his work and later on the informant came to know that her husband was brutally assaulted and killed by anti social elements when his vehicle broke down. At the instance of one Md. Shafaqat, who was with the husband of the informant, the informant named six persons in the FIR apart from 20-30 unknown persons for being involved in the said occurrence of



killing of her husband.

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. The petitioner is not named in FIR rather his name came into light in this case on the basis of confessional statement of other co-accused person before the police which has got no evidentiary value in the eye of law. Nothing consistent material has come against the petitioner in this alleged offence. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Similarly situated other co-accused persons have already been granted bail by this Court vide order dated 13.12.2023 in Cr. Misc. No. 66723 of 2023 and 68811 of 2023. Moreover, the petitioner is languishing in judicial custody since 30.06.2023.

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 Jalalpur P.S. Case No. 154 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 Additional Chief Judicial Magistrate XIII, Saran at
Chapra.

(Sunil Kumar Panwar, J)

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