

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74250 of 2022

Arising Out of PS. Case No.-239 Year-2022 Thana- CHOUTARWA District- West
Champaran

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KRISHNA SAH @ KRISHNA KUMAR Son of Haridwar Sah R/v-
Bhishanpurwa, P.S.- Bathwaria, Dist- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey

For the Opposite Party/s : Mr.Ramchandra Sahni

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 21-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case
instituted for the offence under Sections 365, 302, 201, 120B
and 34 of the Indian Penal Code.

As per prosecution case, the informant's husband
received an unknown call, on receiving the call person on the
other side started abusing and asked him to come to a random



location. The husband of the informant went in that condition itself and thereafter it is alleged that the husband of the informant was killed.

It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. He has committed no offence. He submitted that the petitioner is not named in the FIR. On the basis of suspicion, the name of the petitioner has come into light. It is a case of last seen. There is no consistent evidence and no eye-witness except confessional statement of the petitioner and other co-accused, which has got no evidentiary value in the eyes of law. He is languishing in judicial custody since 25.06.2022.

The application for bail is opposed by learned APP for the State and submitted that the petitioner has confessed about the guilt of committing murder of the deceased in his statement.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-1st, Bagaha, West Champaran in connection with



Choutarwa (Bathwaria) P.S. Case No. 239 of 2022.

(Sunil Kumar Panwar, J)

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