

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3800 of 2024

Arising Out of PS. Case No.-178 Year-2023 Thana- DHANARUA District- Patna

=====

Vidyanand Prasad, Male, aged about 38 years, Son of Sukhdev Prasad,
Resident of Village - Bahrampur Tola, Chhotimath @ Chhotkimath, P.S. -
Dhanarua, District – Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Rudal Singh, Advocate

For the Opposite Party/s : Mr. Ganesh Prasad Singh, APP

=====

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

4 03-05-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Sessions Trial No. 882 of 2023 arising out of Dhanarua P.S.
Case No. 178 of 2023 instituted for the offences punishable
under Sections 302/34 and 120(B) of the Indian Penal Code and
Section 27 of the Arms Act.

3. As per the prosecution case, the informant was
sleeping in his house with his wife when he heard some noises
and when he opened his eyes, he noticed that two people had
entered and started firing at his wife. His wife was shot twice,
once in the right hand and the other in the chin area resulting
death on spot.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence and has falsely been implicated in this case merely on the basis of mere suspicion. He further submits that the allegations against the petitioner is totally false and concocted. Nothing has been recovered from the conscious possession of the petitioner. He next submits that there is no any specific allegation of commit murder, criminal conspiracy and fire from arms against the petitioner. Petitioner has got no criminal antecedent as stated in para 3 of the petition and is in custody since 16.04.2023.

5. Learned APP opposes the prayer for bail.

6. From perusal of the FIR and impugned order of the learned Additional Sessions Judge-II, Masaurhi, Patna dated 23.09.2023, it appears that petitioner is named in the FIR and his name surfaced in this case only on the basis of confessional statement of co-accused. Similarly situated co-accused persons namely Bhola Prasad @ Bhola Yadav and Vijay Paswan have been granted bail by a Co-ordinate Benches of this Court passed in Cr. Misc. Nos. 16868 of 2024 and 10571 of 2024 vide orders dated 13.03.2024 and 22.02.2024, respectively, accordingly the prayer for bail of the petitioner is allowed. Let the petitioner above named be released on bail on furnishing bail bonds of Rs.



10,000/- (Ten Thousand) with two sureties of the like amount
each to the satisfaction of the learned Additional Sessions
Judge-II, Masaurhi, Patna in connection with Dhanarua P.S.
Case No. 178 of 2023.

(Ramesh Chand Malviya, J)

Anand Kr.

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

