

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19074 of 2024

Arising Out of PS. Case No.-815 Year-2023 Thana- SITAMARHI District- Sitamarhi

Phool Hasan Sah @ Phool Hasan S/o Moslim Sah @ Muslim Sah R/o Vill -
Ishlampur, P.S. - Riga, Dist. - Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Uday Kumar, Advocate

For the Opposite Party/s : Mr.Ajay Kumar No. 2, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 15-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Sitamarhi P.S. case No. 815 of 2023 instituted for the offences
under Sections 302/34 of the Indian Penal Code.

3. Prosecution case, in short, is that the informant
received the information that someone had assaulted her
husband by means of knife. On this information, the informant
reached the place of occurrence and found her husband in
injured condition. The husband of the informant was taken to



the hospital where he succumbed to injuries.

4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case due to previous money dispute. Learned counsel further submitted that petitioner has no concern with the alleged occurrence. He further submitted that informant is not the eye-witness to the alleged occurrence and nor any one has claimed to have seen the occurrence. There is no material against this petitioner except the suspicion raised by the informant. Similarly situated co-accused person has already been granted anticipatory bail by a Coordinate Bench of this Court vide order dated 22.02.2024 passed in Cr. Misc. No. 11697 of 2024. It has been submitted on behalf of the petitioner that the petitioner is in custody since 28.10.2023 and has no criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner 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 Court



below/concerned Court in connection with Sitamarhi P.S. case
No. 815 of 2023.

(Rudra Prakash Mishra, J)

Alok Verma/-

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