

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30909 of 2024

Arising Out of PS. Case No.-307 Year-2023 Thana- PASRAHA District- Khagaria

Shyampari Devi wife of Rajeev Sah Village- Navtoliya Bhimri Ps- Pasraha
Dist- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandan Kashyap, Adv.

For the Opposite Party/s : Mr.Madhura Nand Jha, APP

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

ORAL ORDER

2 19-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Pasraha
P.S. Case No. 307 of 2023 instituted for the offences under
Sections 302/201/120(b)/34 of the Indian Penal Code.

3. It is alleged that the accused persons including the
petitioner have committed murder of the brother of the
Informant by means of sharp-cutting weapon and iron rod.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged
against him and has falsely been implicated in the present case
only on the basis of suspicion. There is a case and counter case.
The Informant is not the eye-witness of the alleged occurrence



nor anyone has seen the petitioner committing the alleged occurrence. There is no specific or direct allegation of any overt act against the petitioner rather the same is general and omnibus in nature. There is no independent witness to support the prosecution case rather only the interested witnesses have deposed before the police supporting the prosecution case. The petitioner has no criminal antecedent as has been stated in paragraph no.3 of the present bail application. The petitioner is languishing in judicial custody since 13.11.2023.

5. Learned counsel for the petitioner again submits that the co-accused Dindeyal Sah, Soti Sah, Navin Sah, Kartik Sah and Sakuni Devi have been granted bail by this Court vide orders dated 22.03.2024 and 01.04.2024 passed in Cr. Misc. Nos. 21535 of 2024 and 22008 of 2024 respectively.

6. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner and the co-accused having been granted bail by this Court, let the petitioner, abovenamed, 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 Pasraha P.S. Case
No. 307 of 2023.

(Rudra Prakash Mishra, J)

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