

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42200 of 2024

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

Mithun Sah @ Mithun Kumar Son Of Kartik Sah Village- Navtoliya
(Bhimri), P.S.- Pasraha, Distt.- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Mishra, Advocate

For the Opposite Party/s : Mr. Bharat Lal, APP

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

ORAL ORDER

2 24-06-2024 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 offence
under Sections 302, 201, 120(B) & 34 of the Indian Penal Code.

3. It is alleged that these petitioner along with other
co-accused persons have committed murder of the brother of the
informant by means of sharp cutting weapon and iron rod.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 13-11-2023. Petitioner has
no criminal antecedent.

5. It has been further submitted by the petitioner's
counsel that petitioner has been falsely implicated in the present



case only on the basis of suspicion. Learned counsel further submitted that informant is not the eye-witness to the alleged occurrence. Learned counsel for the petitioner submitted that general and omnibus allegation has been made against these petitioners. No specific overt act is alleged against this petitioner. Learned counsel further submitted that dispute arose between the brother of the informant and co-accused Mithun Sah one week before the occurrence and so far as these petitioner are concerned, they are nowhere in picture. Other co-accused have been allowed bail by this Court *vide* order dated 01-04-2024, passed in Cr. Misc. No. 22008 of 2024.

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

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner, no direct allegation against the petitioner, clean antecedent and claim based on parity, this Court is inclined to grant bail to the petitioner.

8. 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 Pasraha



P.S. Case No. 307 of 2023.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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