

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44970 of 2024

Arising Out of PS. Case No.-177 Year-2024 Thana- HARSIDHI District- East Champaran

Abhinandan Kumar Son of Motilal Sah Resident of Village - Hasuahan,
Lalganj, Police Station - Harsidhi, District - East Champaran at Motihari.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Sanjay Kumar Singh, APP

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

ORAL ORDER

3 25-09-2024 Heard learned counsel for the petitioner and learned APP
for the State. Perused the case diary.

2. The petitioner seeks bail in connection with
Harsidhi P.S. Case No. 177 of 2024 instituted for the offence
under Sections 302 & 34 of the Indian Penal Code.

3. Prosecution case in short is that co-accused persons
including the petitioner threatened the informant that they would
kill the husband of the informant and subsequently, when her
husband went to the graveyard for prayer, co-accused persons
including the petitioner have committed murder of the
informant.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 04-05-2024. Petitioner



bears two criminal antecedents, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. Petitioner is named in the FIR. Name of the petitioner has transpired only on the basis of suspicion. It is submitted that there is no complaint regarding previous enmity of the petitioner with the husband of the informant. Learned counsel next submits that there is no eye witness to the occurrence and no cogent material has come forward during the course of investigation against the petitioner. It is alleged that petitioner in his self-confessional statement has confessed his guilt, but the same has no evidentiary value in the eyes of law. It is lastly submitted that charge sheet has been submitted in this case.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. Referring to paragraph Nos. 8 & 9 of the case diary, it is submitted that witnesses have supported the prosecution case. It is submitted that petitioner has himself confessed his guilt

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner, there being no cogent material against the petitioner in the case diary and



charge sheet being submitted, 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 Harsidhi P.S. Case No. 177 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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