

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56559 of 2024

Arising Out of PS. Case No.-144 Year-2013 Thana- SUPAUL District- Supaul

Manoj Sada, Male, age about 46 years, Son of Rupan Sada, Resident of Village- Hardi Pachchim (Ward No.-7), P.O.- Hardi, P.S.- Supaul, District- Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun Kumar Jha, Advocate

For the Opposite Party/s : Ms. Pushpa Sinha.1, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

2 19-08-2024 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Supaul P.S. Case No. 144 of 2013 instituted for the offences punishable under Sections 302/34 of the Indian Penal Code.

3. As per the prosecution case, FIR named accused persons murdered the husband of the informant.

4. Learned counsel for the petitioner submits that the petitioner is innocent has committed no offence and has falsely been implicated in this case due to dirty village politics. He further submits that during investigation nobody has come forward to say that the petitioner killed the deceased. There is no any eye witness to the occurrence who claimed to have seen



the petitioner to commit such type of offence. Petitioner has been made accused only on the basis of suspicion. Petitioner has got no criminal antecedent as stated in para 3 of the petition is in custody since 08.04.2024.

5. Learned APP opposes the prayer for bail.

6. From perusal of the FIR and impugned order of the learned Sessions Judge, Supaul dated 15.06.2024, it appears that petitioner is named in the FIR and his name transpired in this case during the course of investigation. From perusal of the records, it also appears that after conclusion of the investigation the police has not found the case true against the petitioner and submitted final form with an observation that mistake of fact and closed the investigation. The learned Magistrate differ with the opinion of the Investigating Officer and rejected the final form and taking cognizance under Sections 302/34 of the Indian Penal Code against the present petitioner. So considering all these aspects of the case and the investigating officer not found the case true against the present petitioner and the fact that petitioner has got clean antecedent as stated in para 3 of the petition, 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 Chief Judicial
Magistrate, Supaul in connection with Supaul P.S. Case No. 144
of 2013.

(Ramesh Chand Malviya, J)

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