

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68723 of 2023

Arising Out of PS. Case No.-194 Year-2021 Thana- SAHAR District- Bhojpur

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Kameshwar Musahar Son Of Churgun Musahar Resident Of Village -
Hanuman Chhaparatari (Ekwari), P.S. - Sahar, District - Bhojpur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manoj Kumar

For the Opposite Party/s : Mr.Suresh Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 08-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in a case registered for the offence punishable under Sections 341, 323, 307, 385, 386, 302 and 34 of the Indian Penal Code.

3. As per allegation in the FIR, the petitioner along with other co-accused persons assaulted the informant's husband upon his head due to which he sustained head injuries and during the course of treatment he died.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has been falsely implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. There is no eye witness of



the alleged occurrence regarding who have committed the crime. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. Petitioner is languishing in judicial custody since 03.09.2021

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody of the petitioner, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge 3rd , Bhojpur at Ara in connection with Sahar P.S. Case No.194 of 2021.

(Sunil Kumar Panwar, J)

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