

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66165 of 2023

Arising Out of PS. Case No.-363 Year-2023 Thana- MAHUA District- Vaishali

Hiraman Bhagat Son of Late Ramdeo Bhagat Village- Gobindpur Ps- Mahua
Dist- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mrityunjay Kumar
For the Opposite Party/s : Mr.Sunil Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 03-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
instituted for the offence under Sections 302 and 34 of the
Indian Penal Code.

3. The allegation against the petitioner along with
another is of killing the brother of the informant.

4. It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case due to
dirty village politics. He has committed no offence. He
submitted that both the petitioner and the informant are having
business of diary in the same village and there was little
business rivalry between them and in that pretext, petitioner has
been falsely implicated in this case. There is no eye-witness of



the alleged occurrence and the name of the petitioner has been dragged in this case, on the basis of suspicion. He further submitted that the allegation as alleged in the FIR is that the petitioner and another brutally assaulted the brother of the informant but the Postmortem report does not corroborate the prosecution case. Petitioner has got no criminal antecedent as stated in para-3 of the bail petition. He is languishing in judicial custody since 17.06.2023.

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, 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 J.M.-1st Class, Vaishali at Hajipur in connection with Mahua P.S. Case No. 363 of 2023.

(Sunil Kumar Panwar, J)

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