

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35086 of 2025

Arising Out of PS. Case No.-190 Year-2024 Thana- MOTIHARI TOWN District- East
Champaran

Prabhakar Pandey @ Bulbul Pandey S/o Late Birendra Pandey R/o vill -
Belishrai Near Nashih Baba Temple, P.s.- Town (Motihari), Distt.- East
Champaran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar
For the Opposite Party/s : Mr.Satya Nand Shukla
For the Informant : Mr. Dhander Kumar
Mr. Sumit Kumar Gupta.

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

4 04-09-2025 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

2. The petitioner seeks bail in connection with
Sessions Trial No. 1076 of 2024 arising out of Town P.S. Case
No. 190 of 2024 registered for the offence under Section 302 of
the Indian Penal Code.

3. As per the prosecution case, the petitioner is
accused of killing the deceased.

4. The petitioner is in custody since 30.03.2024.

5. It has been submitted by the learned counsel for
the petitioner that the deceased had gone to defecate near the
boundary of the temple and because of that the petitioner, being



the Pujari of the temple, who was staying in the temple and taking care of the same, became angry and all of a sudden he started beating the deceased. He further submits that the incident has taken place because of grave and sudden provocation and no offence under Section 302 of the Indian Penal Code is made out.

6. Learned counsel for the informant has vehemently opposed the application of the petitioner.

7. Considering the aforesaid facts, this application is allowed.

8. Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-10, Motihari, Est Champaran/concerned Court below in connection with Sessions Trial No. 1076 of 2024 arising out of Town P.S. Case No. 190 of 2024.

(Sandeep Kumar, J)

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