

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69761 of 2024

Arising Out of PS. Case No.-66 Year-2024 Thana- MINAPUR District- Muzaffarpur

Sanjay Kumar S/O Ram Swaroop Prasad R/O Kharar, P.S. Minapur Dist-
Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Balgovind Sharma, Advocate
For the State	:	Mr. Tapeswar Sharma, APP
For the Informant	:	Mr. Arun Kumar, Adv

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

4 18-01-2025 Heard learned counsel for the petitioner and learned
APP for the State.

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

3. The case of the prosecution is that on 10.02.2024 at about 4:30PM informant came to know that his father is in unconscious position at the door of this petitioner. After that, he was brought to the house and was taken to SKMCH and he died in the way.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. The name of the this



petitioner has surfaced in this case as the deceased was found in unconscious position at the door of this petitioner. Learned counsel for the petitioner has further submitted that though there is allegation that the deceased was found at the door of the petitioner but no body has seen the occurrence as to what has happened to the deceased. From perusal of the diary as well, it transpires that there is no statement of any witnesses regarding it. He also submitted that in this case postmortem was conducted prior to filing of the FIR. After postmortem, the Viscera was preseved and it was sent for examination to FSL. The FSL report is available and from perusal of the Viscera report it is clear that THIMET was detected in the contents of the plastic jar as described above. From perusal of the diary, it also transpires that I.O has submitted charge sheet under Section 306 of the IPC. Moreover, the petitioner is languishing in judicial custody since 18.07.2024.

5. Learned APP appearing for the state has opposed the prayer of regular bail and submitted that it is not clear from the diary that if at all THIMET was administered who has administered it.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is



inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Minapur P.S. Case No. 66 of 2024 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Muzaffarpur.

7. Office is directed to return the FSL bag at once.

(Ashok Kumar Pandey, J)

shubham/-

U		T	
---	--	---	--

