

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74920 of 2024

Arising Out of PS. Case No.-77 Year-2023 Thana- HATHAURI District- Samastipur

Ghanshyam Bharti @ Ghanshyam Yadav Son of Rampukar Yadav Resident of
Village - Laxminiya, P.S. - Hathauri, District - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anuj Kumar, Adv.

For the Opposite Party/s : Mr. Pramod Kumar Pandey, Adv.

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 17-01-2025 Heard the parties.

2. The petitioner seeks bail in connection with
Hathauri P.S. Case No. 77 of 2023 registered for the
offence under Sections 302/34 of the I.P.C.

3. The petitioner is not named in the F.I.R. and
is in custody since 12.06.2024.

4. The allegation against the petitioner is to
commit murder of husband of the informant along with
other co-accused persons where occurrence is alleged to
be arising out of previous enmities surfaced out of land
dispute.

5. Learned counsel appearing on behalf of the



petitioner submitted that the implication of petitioner is false as save and expect suspicion arising out of confession of co-accused namely, Vikash Kumar nothing incriminating appears against him. It is pointed out that no incriminating material surfaced during investigation in furtherance of aforesaid confessional statement as to connect petitioner prima-facie with present occurrence of murder. While concluding the argument, it is submitted that petitioner was found involved in one more criminal, case where he is on bail and moreover, investigation of this case is completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

6. Learned APP opposes the prayer of bail.

7. In view of aforesaid factual submission and by taking note of the fact as *prima-facie* save and except suspicion arising out of confessional statement of co-accused namely, Vikash Kumar nothing incriminating appears against this petitioner as to connect him *prima-*



facie with present occurrence of murder, where petitioner is in custody since 12.06.2024, accordingly petitioner above named, is directed to be released on bail in connection with Hathauri P.S. Case No. 77 of 2023 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Addl. District and Sessions Judge I, Rosera, Samastipur/concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C/ Section 480(3) of BNSS.

(Chandra Shekhar Jha, J)

Sudha/-

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

