

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69241 of 2025

Arising Out of PS. Case No.-271 Year-2013 Thana- SAHPUR District- Bhojpur

Vishnu Sah @ Vishnu Shankar Prasad S/o- Late Bishwanath Jaiswal Village-
Sohiya, P.S. Shahpur, Distt. - Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amresh Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Amitesh Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 15-10-2025 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in connection with
Shahpur P.S. Case No. 271 of 2013, instituted for the offences
punishable under Sections 302, 201 and 34 of the Indian Penal
Code.

3. The prosecution case, in short, is that the petitioner
along with other co-accused persons have committed murder of
informant's brother by strangulation and threw his dead body in
the field.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. No incriminating material has been recovered from
the conscious possession of the petitioner. Learned counsel for



the petitioner also submits that no specific allegation has been attributed against the petitioner rather the same is general and omnibus in nature. It is next submitted that the informant is not an eye witness to the said occurrence. It is further submitted that police after investigation did not sent up the petitioner for trial and final form was submitted against him finding him to be falsely implicated in this case. Thereafter, the learned Court below differed from the final form and took cognizance of the offence against the petitioner including other co-accused persons. The petitioner is in custody since 31.07.2025 and has got no criminal antecedent.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and taking into account the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Shahpur P.S. Case No. 271 of 2013, subject to the following conditions:



(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

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