

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.91583 of 2025

Arising Out of PS. Case No.-147 Year-2024 Thana- MANIYARI District- Muzaffarpur

Phool Babu Sah @ Ghutan @ Phool Babu Son of Bhushan Sah Resident of
Village - Maripur, Police Station - Maniyari in the Dist. of Muzaaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar, Advocate

For the Opposite Party/s : Mr. Damodar Prasad Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE PRAVEEN KUMAR
ORAL ORDER

5 03-04-2026 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Maniyari P.S. Case No. 147 of 2024 registered for the offences punishable under Sections 302, 120(B) of the I.P.C.

3. As per the prosecution's case, the husband of the informant went outside in response to a call made to him. It is alleged that 2-5 days earlier, Rajnish Sah, Awadh Kishore Singh, and 4-5 unknown persons were demanding money, which was the cause of a dispute, and co-accused Rajnish Sah had threatened her husband with dire consequences. There was a dispute regarding the return of the money. It is further alleged that a co-villager had intervened in the matter, upon which the



husband of the informant stated that he would file an application at the police station. Subsequently, the informant received information that her husband had been injured by unknown persons near a crossroad. In his injured condition, the police team took the husband of the informant to the hospital. The informant, along with her family members, went to the hospital, where her husband died during the course of treatment.

4. Learned counsel for the petitioner has submitted that the petitioner is not named in the FIR and has been falsely implicated in this case. It has further been submitted that there is no eyewitness to the alleged occurrence of murder. During the course of the investigation, about a month ago, two witnesses stated that the petitioner, along with three other persons and the deceased husband, were quarreling over the consumption of ganja near a tempo. They further stated that, subsequently, in the night, they came to know that the petitioner had inflicted knife blows on the deceased. Learned counsel further submits that this hearsay statement cannot be used against the petitioner at such a belated stage, and that this circumstance alone is not sufficient to make the petitioner an accused in this case. Lastly, it has been submitted that the petitioner has one criminal antecedent and is in custody since 09.06.2025. The charge sheet has been framed



in this case, and the petitioner is ready to cooperate in the trial.

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

6. Considering the aforesaid submissions of the parties and taking into account the facts and circumstance of the case, let the petitioner above-named, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Muzaffarpur, in connection with Maniyari P.S. Case No. 147 of 2024.

7. The application stands allowed.

(Praveen Kumar, J)

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