

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4821 of 2021

Arising Out of PS. Case No.-343 Year-2020 Thana- SHASTRINAGAR District- Patna

Abhay Kumar Son of Umesh Prasad Resident of Village-Dulhin Bazar, Police
Station- Dulhin Bazar, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Prasad Singh, Sr. Adv.
Mr. Harshvardhan Shivsundaram, Adv.
For the Opposite Party/s : Mr. Ajay Kumar no.2, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

5 02-08-2021

Heard learned counsel for the parties through video conferencing.

The petitioner has preferred this application for grant of regular bail in a case registered under section 302 of the Indian Penal Code.

As per allegation in the F.I.R., the petitioner who lived in the neighbouring room, is stated to have entered into a relationship with the informant's wife. Subsequently, the dead body of the wife of the informant was discovered.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case. Admittedly, there is no eye witness to the alleged occurrence. The petitioner has no motive to commit the crime alleged. The



police forcibly took the confession of the petitioner. The so called CCTV footage has not been identified by any of the witnesses. The petitioner is in custody since 5.8.2020, has no criminal antecedent and investigation in the case has concluded.

Heard learned A.P.P. for the State. It is submitted by learned APP that in the CCTV footage, the petitioner is seen moving with the wife of the informant.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case including the petitioner having remained in custody for about 1 year together with investigation in the case having concluded, this Court directs the petitioner to be enlarged on bail in connection with Shastrinagar P.S. Case no. 343 of 2020 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-IV, Patna.

(Partha Sarthy, J)

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