

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7924 of 2022

Arising Out of PS. Case No.-21 Year-2021 Thana- JHAJHA RAIL P.S. District- Lakhisarai

Basudeo Turi Son Of Late Rameshwar Turi Resident Of Village- Rajla, P.S-
Jhajha, Dist- Jamui

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Sumiran Rai, Advocate

For the Opposite Party/s : Mr.Brajendra Nath Pandey, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 11-04-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in a case registered for the offences punishable under Sections 302, 201 and 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner is in custody since 01.03.2021, is a person with clean antecedent and charge-sheet has been submitted in the case.

Learned counsel for the petitioner submits that the informant alleges that earlier on account of dispute between children, three named accused persons came to the house of informant and threatened her husband and said he would be killed and his body would be thrown on the railway line. It is further alleged that her husband accompanied the petitioner and



other named accused persons who came to her shop for dinner and after dinner left but did not return home and during search the informant came to know that a headless dead body is lying on the railway line, which the informant identified as her husband, thus alleges that the accused persons killed her husband.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case, the informant is not an eye-witness to the occurrence, it is also submitted that in the F.I.R. itself it is stated that the husband of the informant accompanied the petitioner and three other accused persons that in itself demonstrates that he had no apprehension from them and thus after having dinner the deceased accompanied the accused persons. Learned counsel further submits that co-accused Kaiyum Miya has been granted bail vide order dated 21.02.2022 passed in Cr. Misc. No. 55101 of 2021.

Learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

Considering the fact that the petitioner is in custody, is a person with clean antecedent, charge-sheet has been submitted in the case, allegations are based on suspicion, the informant is



not an eye-witness to the occurrence and the co-accused has been granted bail, let the petitioner above named be released on bail 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 court below where the case is pending/successor court in connection with Jhajha P.S. Case No. 21 of 2021.

(Satyavrat Verma, J)

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