

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.7558 of 2022**

Arising Out of PS. Case No.-425 Year-2021 Thana- MAJHAULIA District- West Champaran

Vishal Das S/O Sunil Das Resident Of Mohalla- Shahid Chowk, Ganj No. 01,  
P.S.- Bettiah Town, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

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

For the Opposite Party/s : Mr. APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA**  
**ORAL ORDER**

3      17-10-2022                      Heard learned counsel appearing on behalf of the  
petitioner and learned APP appearing on behalf of the State.

Let the defect(s), if any, be removed within a period  
of four weeks from today.

The petitioner seeks bail in connection with Majhauria  
P.S. Case No. 425 of 2021 registered for the offence under  
Sections 302 and 34 of the Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in  
custody since 12.08.2021.

The allegation against the petitioner is to commit  
murder of son of the informant, alongwith other co-accused



persons, due to previous enmity.

Learned counsel appearing on behalf of the petitioner submitted that petitioner has been falsely implicated in this case, for the simple reason that certain disputes were available between the deceased and accused persons including this petitioner. It is further submitted that post mortem report is evident of the fact that death was caused due to accident, as same is asphyxia due to drowning. While concluding the argument, it is submitted that petitioner is a man of clean antecedent and, moreover, investigation in this case is complete for which chargesheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the petitioner, while opposing the prayer of bail, fairly conceded the fact that informant is not the eye witness of the occurrence.

In view of the facts and circumstances, as mentioned above, as save and except suspicion, where informant is not the eye witness of the occurrence, nothing surfaced during the course of investigation to connect this petitioner with the present occurrence, coupled with the fact that chargesheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Majhauria



P.S. Case No. 425 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bettiah, West Champaran/concerned Court, subject to the conditions as laid down u/s 437(3) of the Cr.P.C.

**(Chandra Shekhar Jha, J)**

Ankit/-

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