

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8680 of 2022

Arising Out of PS. Case No.-235 Year-2021 Thana- RAJPUR District- Buxar

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1. Manoj Prasad Son Of Late Maharaja Prasad Resident Of Village- Kerela, Police Station- Rajpur, District- Buxar.
 2. Dhiraj Kumar @ Dhiraj Prasad Son Of Late Shivji Prasad Resident Of Mohalla- Nehru Chawk, Nandlal Tola, Police Station- Chapra (T), District- Chapra. At Present Residing At Sareja, Police Station- Rajpur, District- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar, Advocate
For the Opposite Party/s : Mr. A.P.P

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 16-08-2022 Heard learned counsel for the petitioners and learned A.P.P
for the State.

Let the defect (s), as pointed out by the office, be
removed within a period of four weeks form today.

The petitioners seek bail in connection with a case
registered for the offences punishable under Sections 302,
120(b) and 201 of the Indian Penal Code.

The prosecution case, in short, is that the F.I.R. was
lodged against unknown persons and the dead body was
recovered by the police from Akhori Canal which was not
identified by the villagers. During the course of investigation,



police found that the deceased lady was seen near the house of the petitioner no. 1 namely, Manoj Prasad. Thereafter, police reached the house of Manoj Prasad and who identified the deceased as his niece.

Learned Counsel for the petitioners submit that the petitioners are innocent and they have been falsely implicated in this case. It is further submitted that the petitioners are not named in the F.I.R and during the course of investigation, petitioner no. 1 has been arrested and he confessed before the police that the deceased has committed suicide after reprimanded by petitioner no. 1 for stealing Rs. 3000/- (Three Thousand). He also stated that petitioner no. 2 has also participated in the concealment of dead body. Further, it is submitted that only mistake from the part of the petitioners is that they tried to conceal the dead body of deceased due to social stigma without informing the police. The medical report also supported the contention of the other witnesses. As per the postmortem report, cause of death has been mentioned as *asphyxia* following hanging. The petitioners are in custody since 13.11.2021, charge-sheet has been submitted in the case and have no criminal antecedent.

Learned A.P.P for the State opposes the prayer for regular



bail of the petitioners.

Considering the facts and circumstances of this case, the above named petitioners are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) only each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-V, Buxar in connection with Rajpur P.S. Case No. 235 of 2021.

(Khatim Reza, J)

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