

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10918 of 2022

Arising Out of PS. Case No.-892 Year-2020 Thana- BANKA District- Banka

Niranjan Das Son of Baldeo Das R/O Village- Louni, P.S.- Barahat, District- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vibhakar Kumar, Advocate
For the State : Mr. Madhura Nand Jha, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 28-11-2022 At the outset, learned counsel for the petitioner submitted that in the prayer portion of the bail petition, inadvertently, police station case number has been wrongly typed as ‘Banka (Barahat) 892/2020 P.S. Case No. 68/2021’ instead of ‘Banka (Barahat) P.S. Case No. 892 of 2020’.

Accordingly, learned counsel for the petitioner is permitted to make necessary correction during the course of the day itself.

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 Banka (Barahat) P.S. Case No. 892 of 2020 registered for the offence



under Section 302 of the Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in custody since 13.08.2021.

The allegation against the petitioner is to commit murder of son of the informant.

Learned counsel appearing on behalf of the petitioner submitted that name of the petitioner surfaced in the present case, merely, on the basis of suspicion, as it is appearing from the face of the F.I.R. itself, as petitioner visited the house of the informant in connection with exorcism. It is further submitted that nothing surfaced during the course of investigation, in furtherance of the suspicion, as raised through F.I.R., which may connect the petitioner, *prima facie*, with the present occurrence/murder. While concluding the argument, it is submitted that 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 State opposes the prayer of bail.

In view of the facts and circumstances, as mentioned above, as nothing surfaced during the course of investigation, in furtherance of the suspicion, as raised through F.I.R., which may



connect the petitioner, *prima facie*, with the present occurrence/murder coupled with the fact that chargesheet has been submitted, let the petitioner, above named, is directed to be released on bail in connection with Banka (Barahat) P.S. Case No. 892 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 learned Chief Judicial Magistrate, Banka/concerned Court, subject to the conditions as laid down u/s 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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