

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41287 of 2021

Arising Out of PS. Case No.-199 Year-2020 Thana- PIYAR District- Muzaffarpur

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BINOD RAM S/O RAM SAKAL RAM R/o village- Bariyarpur, P.S.- Piar,
Distt.- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok, Advocate
For the Opposite Party/s : Mr. Amitesh Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 03-02-2022 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 sections 302 and other sections of the Indian Penal Code.

As per the prosecution case, the husband of the informant was taken away by Santosh Ram and was subsequently found dead. The informant states that she is convinced that her husband has been killed by the three named accused persons including the petitioner herein.

It is submitted by learned counsel for the petitioner that an unfounded suspicion has been raised against the petitioner in the FIR. No material has transpired in course of investigation to connect the petitioner with the alleged crime. The only material being relied on against the petitioner is the



self exculpatory statement of co-accused Santosh Ram recorded by the police in course of investigation. The petitioner is in custody since 24.11.2020 and has no criminal antecedent. Chargesheet has been submitted in the case.

The application for bail is opposed by learned APP for the State who submits that as per the statement of Santosh Ram recorded in course of investigation, it is the petitioner who is the assailant of the deceased.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case together with the material that has transpired in course of investigation, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

Liberty is granted to the petitioner to renew his application for bail after framing of charge.

(Partha Sarthy, J)

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