

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54542 of 2021

Arising Out of PS. Case No.-91 Year-2020 Thana- IMADPUR District- Bhojpur

Rajendra Choudhary, Son of Vishwanath Choudhary, Resident of Village and P.S.- Imadpur, District- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Awadhesh Kumar Pandey, Advocate

For the Opposite Party/s : Dr. Ajeet Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 15-02-2022 Heard learned counsel for the petitioner and Dr. Ajit Kumar, learned A.P.P. for the State through virtual court proceedings.

The petitioner seeks bail in connection with Imadpur P.S. Case No. 91 of 2020 instituted for the offences under Sections 302, 201 and 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner is in custody since 05.01.2021, is a person with clean antecedent and charge-sheet has been submitted in the case.

Learned counsel for the petitioner submits that the informant in the F.I.R. alleges that he received a call from his *samdhin*, Meena Devi on 01.05.2020 who informed that the son of the informant, Ranjan Manjhi died at his *sasural* and the dead body has been cremated. It is further alleged that the daughter-



in-law of the informant who was staying with her parents was in relationship with a person of her village and when the son of the informant used to oppose the relationship, he was threatened that if he will oppose he will be killed as such it is alleged that the son of the informant was killed by his in-laws including his wife and her lover.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case, he is neither related to the deceased nor to the informant nor had any relationship with the wife of the deceased. Learned counsel further submits that from the F.I.R. itself it would manifest that the informant received information about the death of his son on 01.05.2020 but the present F.I.R. came to be instituted on 19.10.2020 i.e., after a delay of more than five months. It is thus submitted that had the occurrence been committed as alleged, then the F.I.R. would have been instituted promptly but the informant after participating in the cremation by way of afterthought instituted the present case. Learned counsel further submits that after investigation the police submitted charge-sheet under Sections 306, 201 and 34 of the Indian Penal Code. It is thus submitted that the petitioner has been roped in the present case merely on the basis of suspicion.



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 since 05.01.2021, charge-sheet has been submitted in the case, petitioner is a person with clean antecedent, he is not named in the F.I.R. and the F.I.R. came to be instituted after a delay of more than five months, 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 learned Additional Sessions Judge-XIV, Ara in connection with Imadpur P.S. Case No. 91 of 2020.

(Satyavrat Verma, J)

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