

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62560 of 2021

Arising Out of PS. Case No.-95 Year-2020 Thana- BHAWANIPUR District- Purnia

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Chunchun Mishra @ Sachin Mishra Son Of Rajendra Mishra Resident of
Village - Kukraun, P.S.- Bhawanipur, Distt.- Purnea.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajit Kumar Singh

For the Opposite Party/s : Mr.Ramchandra Singh

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 25-04-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Let the defects, as pointed out by the office, be removed within four weeks of start of normal functioning of the physical court.

Petitioner seeks bail in a case registered for the offences punishable under Sections 302, 201/34 of the Indian Penal Code.

According to prosecution case, one Chunchun Mishra, the petitioner gave his fardbeyan to the police station alleging therein that he was married with Aarti Devi in the year 2006 and has got two sons namely Aditya Kumar and Alok Kumar and a daughter Anjali Kumari, and is practicing as a Doctor in the village. On 26.05.2000 the wife of the informant-petitioner Arti



Devi had gone to Bhawanipur market alongwith her eldest son Aditya Kumar for grinding spices. The Aditya Kumar came back to his house along with the mobile phone of his house. When the informant asked him about his mother then he replied that after grinding spices she will come back. Thereafter, the informant went to see patient at nearby Adiwasi village Simra and Madhav Nagar Muslim Tola. Further it is stated that as soon as the informant reached Dhangarsi more he met a boy namely Sanni and he began to talk to him then on the mobile of Sanni someone has thrown a lady in a forest after killing her, then Sani told him about that. Then informant also reached there and saw the dead body of his wife lying in a pit in the forest.

Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that in fact the petitioner is the informant of the present F.I.R. He further submits that there is no eye witness of the alleged occurrence. The petitioner is in custody since 12.08.2021.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner on the basis of material available on the record and the case diary submits that during the investigation there is sufficient material



available against the petitioner. He further submits that para 18 and 19 of the case diary reveals that the petitioner has talk to the victim. Apart from that other materials also come during investigation against the petitioner.

Considering the aforesaid facts, I am not inclined to enlarge the petitioner on bail in connection with Bhawanipur P.S. Case No. 95 of 2020 pending in the court of learned S.D.J.M., Purnea.

Prayer is refused.

(Rajesh Kumar Verma, J)

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