

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7111 of 2023

Arising Out of PS. Case No.-269 Year-2022 Thana- MOTIPUR District- Muzaffarpur

PRABHAT KUMAR Son of Krishana Ray @ Krisna Ray R/v- Manza
Bangra, P.S.- Deoria, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar

For the Opposite Party/s : Mr.Binod Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 24-08-2023 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 279, 304(A) of the Indian Penal Code and latter on added sections 302, 120(B)/34 of the I.P.C.

3. As per prosecution case, the deceased is said to be died in a road accident thereafter he was taken to hospital where he died during treatment. The informant identified the deceased as his son and lodged the FIR against unknown.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case on the basis of suspicion. Initially, the FIR was lodged against unknown but thereafter, the father of the deceased gave an application stating therein, that



the petitioner along with others commit murder of his son. No one is eye witness of alleged occurrence. During course of investigation, no any consistent material has come against the petitioner. The petitioner confessed his guilt in his confession which is not admissible in the eye of law. Moreover, the petitioner is languishing in judicial custody since 28.10.2022.

5. Learned APP appearing for the state and learned counsel for the informant have vehemently opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Motipur P.S. Case No. 269 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-II, West, Muzaffarpur.

(Sunil Kumar Panwar, J)

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