

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6722 of 2023

Arising Out of PS. Case No.-202 Year-2022 Thana- KHANPURA District- Samastipur

Awadhesh Rai S/o Sukhdeo Rai Resident Of Village- Shital Dharampur,
Police Station- Khanpur, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Anirudh Kumar Sinha
For the Informant/s	:	Mr. Syed Alamdar Hussain
	:	Mr. Sashi Bhusan Kumar
For the State	:	Mr. Nawal Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 11-05-2023 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 302/34 of the Indian Penal Code.

As per prosecution case, the informant alleged that his his son was called by co-accused Kokil Roy but he did not return. Thereafter, the informant came to know that his son has been committed murder by the petitioner in connivance with other and his dead body was found hanging on an electric pole.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The prosecution case has been lodged against the petitioner only on the basis of suspicion and he has falsely been implicated in this



case. There is no any eye witness of the alleged offence. Except suspicion, no any consistent material has come against the petitioner to connect him with the alleged occurrence. From perusal of postmortem report, it appears that the doctor did not enrich any opinion regarding cause of death of the deceased. It is further submitted that the petitioner has got no criminal antecedent and is languishing in judicial custody since 25.8.2022.

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

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 Khanpur P.S. Case No. 202 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 Judicial Magistrate-1st Class, Samastipur.

(Sunil Kumar Panwar, J)

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