

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8299 of 2023**

Arising Out of PS. Case No.-479 Year-2021 Thana- AHYAPUR District- Muzaffarpur

PRASHANT KUMAR @ PRASHANT KUMAR JHA S/o Vijay Jha @ Vijay
Kumar Jha R/o Village- Shabajpur, P.S.- Ahiyapur, Distt- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rudal Singh

For the Opposite Party/s : Dr. Bipin Chandra

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER**

2 03-05-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application, for grant of regular bail, arises out of
Ahiyapur Police Station Case No. 479 of 2021 dated
22.07.2021, disclosing offences under Sections 302/201/120-
B/34 of the Indian Penal Code.

The prosecution story, on the basis of First
Information Report, is that the son of the informant had gone
outside the house on 21.07.2021 at about 10:00 am and in the
afternoon his mobile phone was found switched off. He did not
return and when search was made on next day at about 04:00
pm, informant received the information that the dead body of
his son was lying near lichi orchard, near the house of Yugal
Kishore Singh. The informant has raised suspicion against the



accused persons named in the First Information Report.

The petitioner is not named in the First Information Report.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case on the basis of confessional statement made by the co-accused Anand Kishore @ Chullu, who has been granted bail by a Co-ordinate Bench of this Court in Criminal Miscellaneous No. 12814 of 2022.

The petitioner is in custody since 27.09.2022.

Learned counsel appearing on behalf of the informant vehemently opposes the prayer for bail and submits that though the petitioner is not named in the First Information Report, his name has transpired during the course of investigation and the co-accused as well as other witness has disclosed the name of the petitioner.

Regards being had to the submissions made by the parties and taking into consideration the materials available on record and the fact that name of the petitioner has transpired on the basis of confessional statement of the co-accused, who has been granted bail by a Co-ordinate Bench of this Court and the petitioner is in custody since 27.09.2022, charge-sheet has already been submitted against him and there is no likelihood



that the petitioner will abscond and/or temper with evidence, accordingly, I am inclined to grant regular bail to the petitioner.

Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount, each to the satisfaction of learned Chief Judicial Magistrate, Muzaffarpur in connection to the Ahiyapur Police Station Case No. 479 of 2021 dated 22.07.2021, disclosing offences under Sections 302/201/120-B/34 of the Indian Penal Code.

This is subject to the condition that the petitioner shall present himself before the Court, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bond shall be liable to be cancelled.

(Anil Kumar Sinha, J)

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