

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10584 of 2023

Arising Out of PS. Case No.-224 Year-2022 Thana- BAUNSI District- Banka

Ashok Das S/O Banarshi Das R/v- Bagdumma, P.S.- Bounsi, District- Banka
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Najmul Hodda

For the Opposite Party/s : Mr.Md. Fahimuddin

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 07-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has filed the instant application for grant of regular bail in a case registered for the offences punishable under Section 302 of the Indian Penal Code.

As per prosecution case, it is a case of commission of murder of the informant's Bhabhi Rina Devi by the petitioner.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and has committed no offence. He has falsely been implicated in the present case merely on the basis of suspicion and due to dirty village politics. There is no eye witness of the alleged occurrence. During investigation, no consistent evidence has come against the petitioner which shows his complicity in the alleged occurrence. It is further submitted that good sense has been prevailed between the parties and this



fact has been mentioned in para 3 of the supplementary affidavit. During course of trial, informant Bhola Laiya and other two witnesses namely Arun Laiya and Gayatri Devi have not supported the prosecution case as mentioned in para 4 of the supplementary affidavit. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. It is also submitted that petitioner is languishing in judicial custody since 26.09.2022.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Bounsi P.S. Case No. 224 of 2022 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Banka.

(Sunil Kumar Panwar, J)

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