

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17365 of 2023

Arising Out of PS. Case No.-365 Year-2022 Thana- KATRA District- Muzaffarpur

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Ram Kripal Choudhary S/O Late Nunulal Choudhary R/O Village- Pahsaul,
P.S- Katra, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur, Advocate Mrs. Vaishnavi Singh, Advocate Mr. Ritwik Thakur, Advocate
For the Opposite Party/s	:	Mr. Bharat Lal
For the informant	:	Mr. Shantanu Kumar

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 24-07-2023 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, 201, 120B, 34 of the Indian Penal Code subsequently Section 376(A)(B), 511 of the Indian Penal Code and Sections 4, 6, and 8 of the POCSO Act was also added.

As per prosecution case, the allegation against the petitioner is that he committed murder of the informant's minor niece and threw body of the deceased in a pond.



Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. There is no eye witness of the alleged occurrence and upon CCTV footage co-accused, namely, Raju Kumar was recognized and during investigation, he confessed his guilt and also stated that some co-accused were also involved in this alleged offence and at their instance some articles were also recovered. As per Annexure-2, three co-accused persons were sent up for trail by the police officials but the petitioner was not sent for trial. Except suspicion no consistent material has come out against the petitioner and he has got no criminal antecedent. It is further submitted that the petitioner is languishing in judicial custody since 02.10.2022.

Learned APP appearing for the state and learned counsel for the informant have vehemently opposed the prayer of regular bail and submitted that petitioner is name in the FIR and investigation has been done by the I.O. in perfect manner and cognizance has been taken.

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 Katra P.S. Case No. 365 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 Sessions Judge-VI-cum Special Judge POCSO Act, Muzaffarpur.

(Sunil Kumar Panwar, J)

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