

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23176 of 2022

Arising Out of PS. Case No.-177 Year-2020 Thana- AMARPUR District- Banka

GUDDU BHAGAT S/o Pradeep Bhagat R/o village- Karsani, P.S.- Amarpur,
District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Tiwary, Advocate

For the Opposite Party/s : Mr. Upendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 12-01-2023 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 302 and 34 of the Indian Penal Code.

As per the prosecution case, it is stated by the informant that the petitioner and one another called and took away the husband for the purpose of buying fish, however, thereafter, her husband did not return. Subsequently she heard about some accident and on going to the hospital found the dead body of her husband.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case. Only an unfounded and unsubstantiated suspicion has been raised against the petitioner. The informant is not an eye witness to the



occurrence. Even the Superintendent of Police has found the case to be true under section 304 of the IPC. The petitioner is in custody since 22.2.2022 and has no criminal antecedent.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the allegation against the petitioner, the material that has transpired in course of investigation, the petitioner being in custody for more than 10 months since 22.2.2022 and chargesheet having been submitted in the case, the petitioner is directed to be enlarged on bail in connection with Amarpur P.S. Case no. 177 of 2020 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 Chief Judicial Magistrate, Banka.

(Partha Sarthy, J)

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