

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23104 of 2023**

Arising Out of PS. Case No.-900 Year-2022 Thana- ARARIA District- Araria

BAIJU MURMU @ BEJU MURMU S/O MARANG MURMU Resident of
Village- Kochgama ward No.- 5, P.S.- Araria, District- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana, Adv.

For the Opposite Party/s : Mr. Meena Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

3 17-07-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in connection with Araria P.S.
Case No. 900 of 2022 dated 22.10.2022 registered for the offence
under Sections 302, 120(B) and 34 of the Indian Penal Code.

The petitioner along with others are alleged to have
committed murder of the mother of the informant.

Learned counsel appearing for the petitioner submits
that the petitioner, who is of clean antecedent, is innocent and
has falsely been implicated in this case. He further submits that
the allegation, as alleged in the F.I.R., is false and fabricated and
the petitioner has not committed any offence. He further submits
that there general and omnibus allegation against the petitioner
and no specific allegation of assault is attributed to him. He
further submits that there is no eye witness to the alleged
occurrence. He further submits that the police after investigation



has submitted charge-sheet in this case against the petitioner.
The petitioner is rotting in judicial custody since 02.11.2022.

Learned A.P.P. for the State on the basis of material available on record and the case diary vehemently opposed the prayer for bail of the petitioner and submits that it is apparent from the F.I.R. that the petitioner has fired upon the mother of the informant due to which she died during course of treatment. He further submits that the postmortem report also corroborates with the allegation leveled against the petitioner in the F.I.R. Apart from that the witness have supported the prosecution case as is evident from the paragraph No specific allegation of any overt act is attributed to the petitioner rather general and omnibus allegation is leveled against him.7, 8 and 24 of the case diary.

Considering the facts and circumstances of the case and the rival submission of the parties, this Court is not inclined to grant the privilege of bail to the petitioner. Accordingly, the prayer for bail of this petitioner is rejected.

(Rajesh Kumar Verma, J)

brajesh/-

U		T	
---	--	---	--

