

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24155 of 2022

Arising Out of PS. Case No.-22 Year-2022 Thana- DARPA District- East Champaran

OMBABU PATEL Son of Lal Babu Patel Resident of Village- Bahadurpur,
Police Station- Darpa, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rahul Singh, Adv.

For the Opposite Party/s : Mr. Rajendra Nath Jha, Adv.

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 323, 341, 504 and 34 of the Indian Penal Code to which section 302 of the Indian Penal Code was added subsequently.

As per the prosecution case, the informant states that the petitioner and one another pressed the neck of his wife and suffocated her with the help of a towel.

It is submitted by learned counsel for the petitioner that the parties happen to be *gotias* and the petitioner has been falsely implicated in the case. Besides there being a delay of two days in lodging of the F.I.R., the prosecution case as narrated in the F.I.R. is not supported from the post-mortem report wherein the cause of death is said to be as a result of injury caused by



hard and blunt object. The petitioner is in custody since 10.2.2022, has no criminal antecedent and chargesheet has been submitted in the case.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the nature of allegation in the F.I.R. together with the contents of the post-mortem report, the petitioner being in custody since 10.2.2022 and chargesheet having been submitted in the case, the Court directs the petitioner to be enlarged on bail in connection with Darpa P.S. Case no.22 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 Judicial Magistrate 1st Class, Raxaul at Motihari.

(Partha Sarthy, J)

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