

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36394 of 2023

Arising Out of PS. Case No.-96 Year-2022 Thana- BATH District- Bhagalpur

Munilal Das Son Of Sitaram Das Resident Of Village Chak Narayanpur, Ps
-SAJOUR, Distt- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 12-07-2023 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Bath P.S.
Case No. 96 of 2022 registered for the offence under Sections
302, 201, 120-B/34 of the Indian Penal Code and under Section
R/W 27 of the Arms Act.

The accused/petitioner is named in the F.I.R. and is in
custody since 11.11.2022.

The allegation against the petitioner is to commit
murder of his son-in-law alongwith other co-accused
persons/family members, where deceased refused to construct a
house in parental village of his wife out of compensation



amount of Rs. 4,50,000/- (Rupees Four Lac Fifty Thousand only) received against death of his son with further allegation that daughter of petitioner/wife of deceased was in illicit relation with one of the co-accused, namely, Rajiv Das of her parental village.

Learned counsel appearing on behalf of the petitioner submitted that informant is not the eye witness of the occurrence and out of suspicion present false implication was raised as deceased/son of informant developed some matrimonial discord with daughter of this petitioner. It is submitted that alleged compensation amount is yet to be received. It is further submitted that nothing surfaced/recovered during the course of investigation, to connect petitioner, *prima facie*, with present occurrence of murder. While concluding the argument, it has been submitted that petitioner is a man of clean antecedent and moreover, investigation of this case has been completed, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as informant is not the eye witness of the occurrence, where entire allegation, *prima facie*, appears out of suspicion,



being father-in-law coupled with the fact that charge-sheet has already submitted, where petitioner is in custody since 11.11.2022, accordingly, above named petitioner is directed to be released on bail in connection with Bath P.S. Case No. 96 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 learned Chief Judicial Magistrate, Bhagalpur/concerned court, subject to the conditions as mentioned under Section 437 (3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

pooja/-

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

