

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.32264 of 2023**

Arising Out of PS. Case No.-8 Year-2023 Thana- DURGAWATI District- Kaimur (Bhabua)

Kaushal Ansari, son of Mustafa Ansari, Resident of Village-Baghi  
Kumbhapur, P.S.- Sayadraja, District- Chandauli (U.P.).

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

**Appearance :**

|                            |                                                                   |
|----------------------------|-------------------------------------------------------------------|
| For the Petitioner/s :     | Mr. Vikram Deo Singh, Advocate<br>Mr. Pawan Kumar Singh, Advocate |
| For the Opposite Party/s : | Mr. Arun Kumar Pandey, APP                                        |

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA**  
**ORAL ORDER**

3      11-08-2023                      Heard learned counsel for the petitioner and  
learned Additional Public Prosecutor for the State.

2.              The accused/petitioner seeks bail in connection  
with Durgawati P.S. Case No.8 of 2023 registered for the  
offence punishable under Section 302 of the Indian Penal Code.

3.              The accused/petitioner is named in the FIR and is  
in custody since 28.01.2023.

4.              Allegation against the petitioner is to commit  
murder of mother of informant on intervening night of  
28.01.2023 while informant noticed bleeding from the mouth  
and nose of dead body of her mother.

5.              It is submitted by learned counsel that informant is  
not the eye-witness of the occurrence and entire implication is  
out of suspicion. It is submitted that petitioner acquainted with



family of informant and out of said acquaintance, he came to the house of informant at about 7:00 p.m. on the day of occurrence and supplied medicines, as the mother of informant was ill. It is submitted that death is not out of said medicines rather as per postmortem report, same appears out of '**asphyxia due to strangulation**'. Learned counsel further submitted that narration of FIR is clearly suggesting that petitioner went back after supplying medicine to informant for her mother on the date of occurrence. While concluding argument, it is submitted that the petitioner is a man of clean antecedent and moreover investigation of this case is completed, for which, charge-sheet has been submitted and, as such, there is no chance of tampering with the evidence.

6. Learned APP opposes the prayer for grant of bail to the petitioner.

7. In view of above-mentioned facts and circumstances and by taking note of fact as save and except suspicion, nothing appears incriminating against the petitioner, where informant categorically stated through her FIR that after supplying medicines, petitioner was no more available, coupled with the fact that charge-sheet has already submitted, where petitioner is in custody since 28.01.2023, accordingly, the



petitioner, above-named, is directed to be released on bail furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Mohania, Kaimur in connection with Durgawati P.S. Case No.8 of 2023, subject to the conditions as laid down under Section 437(3) of the CrPC.

**(Chandra Shekhar Jha, J.)**

Sanjeet/-

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