

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35097 of 2023

Arising Out of PS. Case No.-158 Year-2022 Thana- ALOULI District- Khagaria

Kundan Kumar Son Of Shyam Sundar Yadav Village- Chhilkauri Ps- Alauli
Dist- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K. Agarwal, Sr. Advocate
	:	Mr. Binod Kumar, Advocate
For the Opposite Party/s	:	Mr. Ram Priya Sharan, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 24-06-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Alauli
P.S. Case No. 158 of 2022 dated 18.04.2022 instituted for the
offences punishable under Sections 302, 201, 120B of the Indian
Penal Code.

3. The prosecution case, in short, is that on
16.04.2022, at about 10:00 p.m., the informant's son and
daughter-in-law went to attend nature's call but did not come
back. On 17.04.2022, some villagers found body of informant's
son hanging from a tree. It is alleged that informant's daughter-
in-law along with her lover and other unknown co-accused
persons have killed informant's son.

4. Mr. N.K. Agarwal, learned senior counsel for the



petitioner submits that the petitioner is innocent and he has falsely been implicated in this case. It is submitted that the petitioner is not named in the F.I.R., only on the basis of confessional statement of one co-accused persons, namely, Baishakhi Devi, he has been made accused in this case. It is further submitted that there is no eye-witness in the case who has seen the petitioner at the place of occurrence. Further, it is submitted that the petitioner is a student aged about 23 years. Lastly, it has been submitted that the petitioner is in custody since 27.01.2023, has no criminal antecedents and charge-sheet has been submitted in the case.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Khagaria in Alauli P.S. Case No. 158 of 2022.

(Khatim Reza, J)

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