

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39466 of 2023**

Arising Out of PS. Case No.-493 Year-2022 Thana- RAXAUL District- East Champaran

Asaraf Devan @ Ashraf Dewan S/O- Dukhi Dewan Village- Kaurihar Tola
Laxmipur Ps- Raxaul Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binay Kant Mani Tripathi

For the Opposite Party/s : Mr.Dr.Mrityunjaya Kr.Gautam

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

4 11-10-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in a case instituted for
the offence under Sections 302 and 201 of the Indian Penal Code.

It is a case of commission of murder of the informant's
daughter by the petitioner along with other accused persons.

It is submitted by learned counsel for the petitioner that
petitioner is innocent and has committed no offence. He has been
falsely implicated in this case merely on suspicion as the petitioner
is husband of the deceased. There is no eye witness to the alleged
occurrence. General and omnibus allegation has been levelled
against the petitioner. There is no prior complain of ill treatment,
harassment and torture against the petitioner. The petitioner
solemnized marriage with the deceased 10 years ago and blessed



with two children from the said wedlock. In fact, the deceased committed suicide herself by hanging. She was short temperament lady and she does not want to live in the family of petitioner and she always put pressure to live separately which was not accepted by family of the petitioner. During investigation, no consistent evidence has come against the petitioner to show his involvement in the present case. Petitioner has got no criminal antecedent and languishing in judicial custody since 23.10.2022.

The application for bail is opposed by learned APP for the State and submitted that petitioner is named in the FIR.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-XIV, East Champaran, Motihari in connection with S.Tr. Case No. 275 of 2023 arising out of Raxaul PS Case No. 493 of 2022.

(Sunil Kumar Panwar, J)

lata/-

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

