

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34904 of 2022

Arising Out of PS. Case No.-59 Year-2022 Thana- MADANPUR District- Aurangabad

AKASH RAM Son of Kamlesh Ram Resident of Village - Tona Tole Akari
Bigha, P.S. mali, District - Aurangabad (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailesh Kumar Singh
For the Opposite Party/s : Mr. Bal Mukund Prasad Sinha

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 20-04-2023 It appears that in vide order dated 14.03.2023, FSL report with respect to the deceased was called for, but has not been received yet.

Heard learned counsel for the petitioner and learned APP for the State.

The petitioner has prayed for regular bail in a case instituted for the offence under Sections 302 and 34 of the Indian Penal Code.

The allegation against the petitioner along with another is of killing the daughter of the informant by pressing her neck.

It is submitted by learned counsel for the petitioner



that petitioner has been falsely implicated in this case. He has committed no offence. He submitted that the petitioner is the husband of the deceased and had solemnized marriage in the year 2015 thereafter, two children was blessed out of her wedlock. There is no any prior complaint against the petitioner with regard to abusing, misbehaving, assaulting and torturing to the deceased. There is no consistent evidence and no eye-witness to show the petitioner has involved in the said occurrence. From the perusal of the Postmortem report cause of death was not determined by the conducting doctor and specific allegation against the petitioner and another is of pressing the neck of the deceased, due to which she died. No ligature mark seen around the neck and the postmortem report is not in consonance with prosecution case. He is languishing in judicial custody since 12.02.2022.

The application for bail is opposed by learned APP for the State.

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 C.J.M.,
Aurangabad in connection with Madanpur P.S. Case No. 59 of
2022.

(Sunil Kumar Panwar, J)

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