

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35551 of 2023

Arising Out of PS. Case No.-99 Year-2020 Thana- BHEJA District- Madhubani

Prithvi Chaupal Son Of Late Ram Kishun Chaupal Resident Of Village -
Bhagta P.S. - Bheja, Distt. - Madhubani

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jitendra Kumar Bharti

For the Opposite Party/s : Mr.Rajiv Nayan

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 19-09-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 302, of the Indian Penal Code.

As per prosecution case, the informant who is daughter of petitioner, alleged that the petitioner demanded Rs. 200/- from her mother/deceased and when she did not pay the same, he committed murder of her mother.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. As per Postmrtm Report, which is annexed with Case Diary, lacerated wound was found over right parietal occipital area of the body of the deceased. It is further submitted that there was no intention to kill the



deceased. The petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 13.11.2020.

In pursuance to the direction of this Court, a report dt. 22.8.2023 with regard to present stage of trial has been received by which it appears that out of seven witnesses, not a single witness has been examined as yet and trial court had sought six months time to conclude the trial

Learned counsel for the petitioner further submits that there is no hope to conclude the trial in near future.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail **after framing of charge, if not framed**. The above named petitioner is directed to be released on bail in connection with Bheja P.S. Case No. 99 of 2020 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned concerned Court.

(Sunil Kumar Panwar, J)

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