

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41726 of 2023

Arising Out of PS. Case No.-1342 Year-2022 Thana- KHAGARIA District- Khagaria

Abhishek Kumar Son Of Shri Deepak Kumar @ Deepak Poddar Resident Of
Village - Tilak Nagar, Ward No. 32, P.S. - Nagar, Distt. - Begusarai, Presently
Residing At Village - Sanhauili, C/O Ram Bilash Singh, P.S. - Chitragupta
Nagar, Distt. - Khagaria

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. S.D. Sanjay, Sr. Advocate
	:	Mrs. Parul Prasad, Advocate
	:	Mr. Lokesh Kumar, Advocate
For the Opposite Party	:	Mr. Binod Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 14-07-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with
Khagaria P.S. Case No. 1342 of 2022 dated 22.12.2022,
instituted for the offences punishable under Section 302 read
with Section 34 of the Indian Penal Code.

3. The prosecution case, in short, on 22.12.2022 at
about 10:00 pm, the informant come to know that her son and
daughter-in-law has been murdered. When the informant
reached the place of occurrence, she found their dead bodies.

4. Learned 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.



and only the basis of suspicion and self-confessional statement the petitioner has been made accused in this case. It is further submitted that from the F.I.R. itself it is evident that the occurrence has been alleged to be committed by some unknown persons and the informant was informed by some co-villagers on the next morning of the alleged incident and there is no eye-witness to the occurrence. Further, it is submitted that no incriminating article has been recovered from the conscious possession of the petitioner. Lastly, it has been submitted that the petitioner is in custody since 06.01.2023, has no criminal antecedent 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 Khagaria P.S. Case No. 1342 of 2022.

(Khatim Reza, J)

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