

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40249 of 2023

Arising Out of PS. Case No.-81 Year-2023 Thana- DIGHA District- Patna

Devendra Kumar Son Of Paras Nath Kushwaha Resident Of Village -
Shrinagar, P.S. - Mairwa, Distt. - Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Y.V. Giri, Sr. Adv Mr.Rajesh Kumar
For the Opposite Party/s :		Mr.Manoj Kumar
For the Informant	:	Mr. Kaushal Kishore

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 23-08-2023 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the informant.

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

3. Allegation against the petitioner is that he committed murder of his wife and the reason behind this occurrence is said to be land related disputes.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The petitioner is the husband of the deceased due to which he has falsely been implicated in this case. It is further submitted that there is no prior complaint in respect of harassment, ill treatment and assault with the informant's daughter and also the petitioner blessed with a child from the wedlock of the



deceased. It is also submitted that the deceased committed suicide herself. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent and also he is a handicapped person. Moreover, he is languishing in judicial custody since 30.01.2023.

5. Learned APP appearing for the state and learned counsel for the informant have opposed the prayer of regular bail and submitted that the petitioner is named in FIR and being the husband of the deceased, he had ample responsibility to keep his wife with dignity and honour which he did not do so.

6. 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. The above named petitioner is directed to be released on bail **after framing of charge, if not framed** in connection with Digha P.S. Case No. 81 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-XI, Patna.

(Sunil Kumar Panwar, J)

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