

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42394 of 2022

Arising Out of PS. Case No.-802 Year-2021 Thana- TURKAULIYA District- East
Champaran

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ASAGAR MIYAN Son of Late Gaffar Mian Resident of Village - Singhiya
Sagar, P.s.- Banjariya, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Asif Kalim

For the Opposite Party/s : Mr.Ramchandra Sahni

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 04-01-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks regular bail in connection with
Turkauliya (Banjaria) P.S. Case No. 802 of 2021 registered for
the offence under Sections 302, 326, 34 of the Indian Penal
Code.

Allegation against the petitioner is that he along with
other co-accused persons killed the son of informant by pouring
kerosene.

Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. It is further
submitted vide para 7 of the petition that the petitioner is brother
of the father-in-law of the deceased, and he has no concern with
the alleged occurrence rather he lives separately with this family
since long and just because of the relation, he has falsely been



made accused in this present case. It is further submitted that the dispute between the deceased and his wife was coming from sometime as such deceased's wife has come to her material house after that controversy escalated so much. It is further submitted that para 8, 9, 10, 28, 51 of the case diary, witnesses have not supported the prosecution case and shows that the deceased himself committed suicide. The petitioner is languishing in judicial custody since 14.3.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

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 released on bail in connection with Turkauliya (Banjariya) P.S. Case No. 802 of 2021 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari, East Champaran.

(Sunil Kumar Panwar, J)

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