

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49664 of 2023

Arising Out of PS. Case No.-310 Year-2023 Thana- MAJHAULIA District- West Champaran

Akhilesh Kumar Son Of Suraj Ram Resident Of Village- Goda Semra, Police
Station- Majhauria, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brij Kishor Mishra

For the Opposite Party/s : Mr.Umanath Mishra

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 18-09-2023 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

2. The petitioner has prayed for regular bail in a case
registered for the offence punishable under sections 302, 201/34
of the Indian Penal Code.

3. As per prosecution case, the petitioner is alleged to
have committed murder of the informant's granddaughter in
connivance with other co-accused persons. The informant
raised suspicion and lodged the FIR stated therein that earlier to
the occurrence, the petitioner along with others misbehaved
with the deceased.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He has
falsely been implicated in this case on the basis of CDR report.



No one is eye witness of the alleged occurrence. During course of investigation, no any cogent material has come on record which suggests the complicity of the petitioner. The petitioner has got no criminal antecedent and languishing in judicial custody since 29.4.2023. Moreover, similarly situated co-accused namely, Md. Mahmud Alam has already been granted bail by a co-ordinate Bench of this Court vide order dt. 12.9.2023 passed in Cr. Misc. No. 55268 of 2023.

5. Learned APP appearing for the state and learned counsel for the informant have vehemently opposed the prayer of regular bail.

6. Considering the facts and circumstances of the case as well as custody period, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Majhaulia P.S. Case No. 310 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 Chief Judicial Magistrate, Bettiah at West Champaran.

(Sunil Kumar Panwar, J)

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