

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54500 of 2023

Arising Out of PS. Case No.-49 Year-2023 Thana- UDAKISHUNGANJ District- Madhepura

Bhola Beshra @ Bhola Besra son of Parmeshwar Beshra @ Parmeshwar
Besra Village- Raghunathpur Santhali tola Ps- Basnahi dist- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amarnath Jha, Advocate

For the Opposite Party/s : Ms. Sharda Kumari, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

4 09-11-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Udakishunganj P.S. Case No. 49 of 2023 registered on 24.02.2023 for the alleged offences under Sections 302, 201/34 of the I.P.C.

3. As per prosecution case, the husband of the informant was brutally murdered and his dead body was thrown in a maize field near a canal. The name of the petitioner surfaced during investigation as one of the co-accused persons involved in the murder of the husband of the informant.

4. The learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case. Petitioner has no concern with the alleged occurrence.



Petitioner has been made accused on the basis of confessional statement which has no legal sanctity. No cogent material has been collected by the police during investigation to connect the petitioner with the offence as alleged. Petitioner's name surfaced in this case on the saying of villagers without any substantive material. The petitioner is in custody since 12.03.2023 and charge-sheet has been submitted. Learned counsel further submits that petitioner is accused in two criminal cases and he is on bail in both the cases.

5. Learned APP opposes the submission made on behalf of the petitioner. Learned APP submits that petitioner's name came up on suspicion and on the basis of confessional statement.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact about distinct lack of material against the petitioner to connect him with the offence as alleged and further considering the period of custody of the petitioner and submission of charge-sheet, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M-1, Udakishunganj, District-



Madhepura in connection with Udakishunganj P.S. Case No. 49
of 2023, subject to the conditions mentioned in Section 437(3)
of the Cr.P.C. and the following conditions:

- (i) One of the bailors will be a close relative of the
petitioner.
- (ii) The petitioner will remain present on each and
every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or
in violation of the terms of the bail, the bail bond
of the petitioner will be liable to be cancelled by
the court concerned.

(Arun Kumar Jha, J)

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