

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56286 of 2022

Arising Out of PS. Case No.-471 Year-2021 Thana- BIHPUR District- Bhagalpur

Tej Narayan Das Son Of Late Ghutar Das Resident Of Village- Sonbarsha,
P.S.- Bihpur, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar, Advocate

For the Opposite Party/s : Mr. Binod Kumar No. 3, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

5 23-02-2023 Let the defects, if any, pointed out by the office be removed within three weeks from the date of this order, failing which the matter be listed again under the appropriate heading for necessary action.

Heard learned counsel for the petitioner and learned APP for the State.

Petitioner seeks regular bail in connection with Bihpur P.S. Case No. 471 of 2021, registered for the offences punishable under Sections 328, 302 and 34 of the Indian Penal Code.

As per the prosecution, the informant's husband was administered with poison by this petitioner and co-accused persons, as a result of which he died.



The main submissions advanced by learned counsel Mr. Rajesh Kumar, appearing for the petitioner are that the petitioner has fair and clean antecedent and he has been languishing in jail since 19.07.2022 and the informant is not the eye-witness of the alleged occurrence and during investigation some material witnesses stated that the deceased was in intoxicated state at the relevant time and he himself came and slept on his *Handcart (Thela)* and thereafter he fell down on the ground which resulted in his head injury and as per the FIR the victim left his house in the company of petitioner for the purpose of election campaigning which shows that at that time there was not any bad relation between them and in the FIR any motive on the part of the petitioner to commit the murder of the victim has not been revealed and during investigation even a single witness did not come forward to support the allegation of the FIR.

Learned APP Mr. Binod Kumar No. 3, appearing for the State has opposed the prayer for bail.

In view of the facts, as stated above, this Court is inclined to accept the petitioner's prayer for bail. Accordingly, let the petitioner named-above be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the concerned Court in



connection with Bihpur P.S. Case No. 471 of 2021.

(Shailendra Singh, J.)

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