

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61971 of 2023

Arising Out of PS. Case No.-41 Year-2023 Thana- PHENHARA District- East Champaran

AJAY DAS Son of Bharosi Das R/o vill - Patkhauliya, P.S. - Chiraiya, Distt. - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kundan Rathore@ Kundan Kumar

For the Opposite Party/s : Mr.Mithlesh Kumar Khare

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 15-09-2023 Heard learned counsel for the petitioner and learned
APP for the State.

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

As per prosecution case, the informant alleged that the petitioner and co-accused persons altogether nine in numbers have committed murder of his son due to previous enmity and brought the dead body on a pickup van and then cremated the dead body in order to conceal the evidence.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. The informant is not an eye witness of the alleged occurrence and no specific allegation



levelled against the petitioner. It is further submitted that except suspicion no consistent material has come out against the petitioner. Similarly situated co-accused has already been granted bail by a coordinate Bench of this Court vide order dated 11.08.2023 passed in Cr. Misc. No. 49571 of 2023. The petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 13.06.2023.

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 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 in connection with Phenara P.S. Case No. 41 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 concerned Court.

(Sunil Kumar Panwar, J)

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