

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65199 of 2023

Arising Out of PS. Case No.-229 Year-2023 Thana- RAMGARHWA District- East
Champaran

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VIKASH PRASAD Son of Sri Birendra Prasad Resident of Village-Bela,
P.S.-Ramgarhwa, District-East Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vaishnavi Singh
For the Opposite Party/s : Mr.Rina Sinha

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 20-12-2023 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

The petitioner has prayed for bail in a case instituted
for the offence under Sections 302, 201, 120(B)/34 of the
Indian Penal Code.

As per allegation in the FIR, informant had
solemnized love marriage with the petitioner's sister, namely,
Ayushi (deceased) at Delhi in Saket Court on 12.4.2023. On
7.5.2023, her brother, Vikash Kumar (petitioner) sister Saloni
and her brother-in-law Lalan Prasad visited there for vidagiri of
Ayushi Kumari (deceased) for the purpose of attending marriage
of the petitioner. It is further alleged that informant has strong
suspicion against the petitioner and his other family members



that they have killed her and thereafter disposed off her dead body stealthily.

It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. No one is the eye witness of the alleged occurrence. Only on the basis of suspicion, the name of the petitioner dragged in the present case. During investigation, no consistent material has come against the petitioner to show his involvement in the present case. No incriminating material or dead body was recovered at the instance of the petitioner. Confessional statement made before the police, is not admissible in the eye of law. Save and except confessional statement, nothing has come against the petitioner. Petitioner is languishing in judicial custody since 8.6.2023.

The application for bail is opposed by learned APP for the State and learned counsel for the informant and submitted that petitioner is named in the FIR.

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 enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Judicial



Magistrate, 1st Class, Motihari, East Champaran in connection
with Ramgarhwa P.S. Case No. 229 of 2023.

(Sunil Kumar Panwar, J)

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