

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68340 of 2022**

Arising Out of PS. Case No.-179 Year-2021 Thana- SINGHESHWAR District- Madhepura

ARBIND BHAGAT Son of Ramnath Bhagat R/V- Singheshwar , Near Petrol
Pump, Ward No. 13, P.S- Singheshwar Dist- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Chand Prasad
For the Opposite Party/s : Mr. Sunil Kumar Pandey

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

3 10-04-2023 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 section 302 of the Indian Penal Code.

As per prosecution case, the informant alleged that when she opened main gate she found her husband was hanging besides the bed and his neck was tied by a dupatta. It is further alleged that prior to this incident, the petitioner threatened the informant's husband and he was involved in this offence.

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 suspicion. The informant is not the eye witness of the alleged offence nor any material has come to show his involvement in this case. During investigation, a suicidal note said to be written by the deceased was found in which the deceased named several persons and on the basis of suicidal note of the deceased, charge sheet has been submitted u/s 306 of IPC not u/s of 302. It is further submitted vide para 14 of the petition that it appears from suicide note, the husband of the informant has taken loan amount from several persons and he was not in a position to return the same and committed suicide. It is further submitted that the petitioner is languishing in judicial custody since 4.8.2022.

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 Singheshwar P.S. Case No. 179 of 2021 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, Madhepura.

(Sunil Kumar Panwar, J)

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