

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72234 of 2023

Arising Out of PS. Case No.-123 Year-2023 Thana- SIWAN MUFFASIL District- Siwan

Chhabila Baitha @ Chabila Baitha S/O Sri Algoo Baitha Village- Chaitauna,
Ps. Vijayeeपुर, Dist. Gopalganj

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vyas Kumar Mishra

For the Opposite Party/s : Mr.Ram Priya Sharan Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 08-11-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 302, 201 and 34 of the Indian Penal Code.

3. As per FIR, a dead body of a woman was found under Mahadeva O.P. Further, on the basis of information, informant came and recognized the dead body as his Bhabhi(Sister-in-law). It is further alleged that land dispute was going on between the informant and one co-accused.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. There is no eye witness of the alleged occurrence. The name of the petitioner has come on



the basis of confessional statement of other co-accused Vishal Singh before the police which has got no evidentiary value in the eye of law. Nothing consistent material has found against the petitioner to implicate in the alleged occurrence. The person who confessed the name of this petitioner has already been granted bail by lower Court which has been annexed vide Annexure-2 of this petition. Moreover, the petitioner is languishing in judicial custody since 12.07.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. 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 Siwan (Mufassil) P.S. Case No. 123 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 Chief Judicial Magistrate, Siwan.

(Sunil Kumar Panwar, J)

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