

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4797 of 2024

Arising Out of PS. Case No.-255 Year-2023 Thana- SHEOHAR District- Sheohar

Umesh Bhagat Son of Ram Pratap Bhagat R/o vill - Parsouni Baiz, P.S. -
Piprahi, Distt. - Sheohar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Girish Chandra Jha, Adv.

For the Opposite Party/s : Mr.Suman Kumari Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 08-04-2024 Heard learned counsel for the petitioner and learned
APP for the State. Perused the case diary.

2. The petitioner seeks bail in connection with Sheohar
P.S. Case No. 255 of 2023 instituted for the offences under
Sections 365, 302, 201 of the Indian Penal Code.

3. As per prosecution case, the allegation against the
petitioner is of committing murder of his wife/mother of the
Informant and disappeared her dead body.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged
against him and has falsely been implicated in the present case
only on mere suspicion. The petitioner is the husband of the
victim lady/deceased. There is no eye-witness to the occurrence.



The petitioner has two criminal antecedents as has been stated in paragraph no.3 of the present bail application. The petitioner is languishing in judicial custody since 12.10.2023. Charge-sheet has been submitted in this case but, the charge has not been framed as yet.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner stating that the petitioner is the named accused in the F.I.R. The victim is still trace-less. The petitioner has also confessed his guilt of committing murder of his wife and throwing the dead body in the Bagmati river and, on his disclosures, the bamboo stick/lathi has also been recovered. The witnesses have also supported the prosecution case. Charge-sheet has been submitted in this case under Section 365 of the I.P.C. The allegation made against the petitioner is serious in nature and, thus, the petitioner does not deserve bail.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner and the fact that the Charge-sheet has been submitted in this case under Section 365 of the I.P.C., pending further investigation, let the petitioner, abovenamed, be released on



bail, after framing of charge if not already framed, on furnishing
bail bonds of Rs.10,000/- (Ten thousand) with two sureties of
the like amount each to the satisfaction of Court
below/concerned Court in connection with Sheohar P.S. Case
No. 255 of 2023.

(Rudra Prakash Mishra, J)

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