

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6816 of 2024

Arising Out of PS. Case No.-364 Year-2022 Thana- CHAPRA TOWN District- Saran

Jayprakash Giri @ Jai Prakash Giri S/O Dharamnath Giri Village- Arya
Nagar, Giri Tola, Katharibag, Chapra,Ps. Chapra Town,Dist. Saran, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok

For the Opposite Party/s : Mr.Rina Sinha

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 04-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Chapra Town P.S. Case no. 364 of 2022 instituted for the offence under Sections 302, 328, 201 and 34 of the Indian Penal Code.

As per allegation in the FIR, accused persons came to the house of the informant and on the pretext of some work, they took away his husband but he did not return. A search was made and during search, she found her husband lying near a temple. She brought him to Hospital where doctor declared him dead. The informant suspects that all accused persons have killed her husband by administering poison.



Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. Only on the basis of suspicion, he has been dragged into this case. It is further submitted from para-12 of this petition that prior to this case, accused No.3, cousin brother of the petitioner has filed Chapra Town P.S. Case No. 340 of 2016 against father-in-law and brother-in-law of the informant for the murder of his father in which accused no.5 is a witness and only to put pressure upon the petitioner and other accused persons, informant lodged this case on the basis of concocted story. Nothing consistent material has found against him. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Similarly situated other co-accused person has already been granted bail by this as well as from another Bench of this Court vide order dated 31.08.2023 in Cr. Misc. No. 55738 of 2023 and order dated 05.07.2023 in Cr. Misc. No 75237 of 2022.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender



in connection with Chapra Town P.S. Case no. 364 of 2022, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saran at Chapra subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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