

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14211 of 2024

Arising Out of PS. Case No.-83 Year-2022 Thana- PIPRAKOTHI District- East Champaran

Bittu Kumar S/O Harendra Singh R/O Village- Rampurwa, P.S- Mehshi, Distt.-
East Champaran (Bihar).

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar, Adv.

For the Opposite Party/s : Mr.Kumar Veerendra Narayan, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 04-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Piprakothi P.S. Case No. 83 of 2022 instituted for the offence
punishable under Sections 302, 201, 120 B/34 of the Indian Penal
Code.

3. As per the prosecution case, the brother of the
informant is alleged to have been killed by the petitioner and other
accused persons and thrown the dead body near the Mohna bridge.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. He has
falsely been implicated in this case only on the basis of suspicion.
The F.I.R. has been lodged after the inordinate delay of two days
and there is no any satisfactory explanation for the said delay.



There is no eye witness of the alleged occurrence. During investigation, save and except suspicion and confession, there is no other evidence or material has come against the petitioner to show his complicity in the alleged occurrence. Petitioner is languishing in judicial custody since 08.12.2023. The other co-accused persons have already been granted bail by a co-ordinate Bench of this Court vide order dated 19.07.2023 and 25.07.2023 passed in Cr. Misc. No. 15701 of 2023 and 23164 of 2023 respectively.

5. Learned APP for the State has vehemently opposed the prayer for bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties as well as period of custody of the petitioner, this Court is inclined to enlarge the petitioner on bail. The above named petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned 11th Additional Chief Judicial Magistrate, Motihari, East Champaran in connection with Piprakothi P.S. Case No. 83 of 2022.

(Ramesh Chand Malviya, J)

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