

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18459 of 2024

Arising Out of PS. Case No.-229 Year-2023 Thana- RAMGARHWA District- East
Champaran

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Birendra Prasad S/o Late Ram Sharan Prasad R/o vill - Bela, P.s. -
Ramgarhwa, Distt. - East champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Ramakant Sharma, Sr. Advocate
	:	Mr.Mayank Raj, Advocate
For the Opposite Party/s	:	Mr.Humayou Ahmad Khan, APP

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

ORAL ORDER

2 14-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Ramgarhwa P.S. case No. 229 of 2023 instituted for the
offences under Sections 302, 201, 120B/34 of the Indian Penal
Code.

3. Prosecution case, in short, is that informant had
solemnized love marriage with the Ayushi Kumari (deceased) at
Delhi in Saket Court on 12.04.2023. On 07.05.2023, her brother
Vikash Kumar, sister Saloni and brother-in-law Lalan Prasad
visited there for vidagiri of Ayushi Kumari (deceased) for the
purpose of attending marriage of the petitioner. It is further



alleged that informant has strong suspicion against the petitioner and his other family members that they have killed her and thereafter, disposed off her dead body stealthily.

4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. There is no eye-witness to the alleged occurrence. The name of the petitioner transpired in this case on the basis of suspicion. During investigation, no material has come against this petitioner. No incriminating article has been recovered from the conscious possession of the petitioner. Similarly situated co-accused person has already been granted anticipatory bail by a Coordinate Bench of this Court vide order dated 20.12.2023 passed in Cr. Misc. No. 65199 of 2023. It has been submitted on behalf of the petitioner that the petitioner is in custody since 23.12.2023 and has one criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, claim based on parity as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the 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 Court below/concerned Court in connection with Ramgarhwa P.S. case No. 229 of 2023.

(Rudra Prakash Mishra, J)

Alok Verma/-

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