

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32766 of 2024

Arising Out of PS. Case No.-48 Year-2023 Thana- SIMRI District- Darbhanga

Binay Kumar Prasad S/o Late Raghubir Mahato Resident of village Wastwara
Ps Simri District Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Kumar Verma, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

4 11-07-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Simri P.S. Case No. 48 of 2023 dated 02.04.2023 registered for the offences punishable u/s 304(B)/34 of the Indian Penal Code.

3. As per the prosecution case, the petitioner is alleged to have tortured and committed murder of the daughter of the informant by administering poison to her.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is general and omnibus allegation against the petitioner. No incriminating material has been recovered from



the conscious possession of the petitioner. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 03.04.2023.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner and submitted that the petitioner is the husband of the deceased and he poisoned the daughter of the informant and killed her.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court of Additional Sessions Judge-V, Darbhanga in connection with Simri P.S. Case No. 48 of 2023 with further condition:-

(i) The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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