

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41916 of 2024

Arising Out of PS. Case No.-401 Year-2022 Thana- GHORASAHAN District- East
Champaran

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Deepak Patel S/o Nagendra Patel R/o Village-Sathawara,P.S.-
Ghorasahan(jitna) district-East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Adarsh Ranjan, Advocate
For the Opposite Party/s : Mr. Rana Randhir Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 02-08-2024 Heard learned counsel for the parties.

2. Earlier the bail of the petitioner was rejected by this
Court in Cr. Misc. No. 1063 of 2024 vide order dated
03.04.2024 which reads as follows:-

*Heard learned counsel for the petitioner and
learned APP for the State.*

*2. Petitioner is seeking regular bail in
connection with Ghorasahan (Jitna) P.S. Case
No.401 of 2022, registered for the offence
punishable u/s 302, 120(B)/34 of the IPC.*

*3. Allegedly, the petitioner along with other
F.I.R. named accused persons are said to have
committed murder of the daughter of the
informant.*



4. *It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has not committed any offence. He has been falsely implicated in this case due to ulterior motive. No such occurrence in the manner as alleged has ever taken place. Petitioner is the husband of the deceased and the deceased died due to Kidney ailment. There is no eye-witness to the alleged occurrence and there is general and omnibus allegation against the petitioner. Petitioner has no criminal antecedent and is languishing in custody since 16.09.2023.*

5. *Learned APP for the State opposed the prayer for bail by submitting that there is specific allegation against the petitioner and other associates to kill the daughter of the informant.*

6. *Considering the aforesaid facts and circumstances and the nature of allegation, I am not inclined to enlarge the petitioner on bail. The prayer for grant of regular bail on his behalf is hereby rejected.*

7. *However, the petitioner is at liberty to renew his prayer for bail after framing of charge.*

8. *This application is accordingly dismissed.*



3. The petitioner seeks bail in connection with a case registered for the offence punishable under Sections 302, 120(B)/34 of the Indian Penal Code.

4. Allegedly, the petitioner along with other F.I.R. named accused persons are said to have committed murder of the daughter of the informant.

5. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has not committed any offence. He has been falsely implicated in this case due to ulterior motive. No such occurrence in the manner as alleged has ever taken place. Petitioner is the husband of the deceased and the deceased died due to Kidney ailment. There is no eye-witness to the alleged occurrence and there is general and omnibus allegation against the petitioner. Learned counsel for the petitioner further submits that the charge has been framed in this case. Petitioner has no criminal antecedent and is languishing in custody since 16.09.2023.

5. Learned APP for the State opposed the prayer for bail by submitting that there is specific allegation against the petitioner and other associates to kill the daughter of the informant.



6. Having regard to the facts and circumstances of the case and the charge has been framed in this case, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/Successor Court in connection with Ghorasahan P.S. Case no. 401 of 2022.

7. The petitioner will cooperate in the proceeding of the court below. In the event of failure to appear on two consecutive dates, the court below will be at liberty to pass appropriate order including cancellation of bail bonds of the petitioner.

(Anjani Kumar Sharan, J)

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