

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50855 of 2024

Arising Out of PS. Case No.-60 Year-2020 Thana- VALMIKINAGAR District- West
Champaran

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Upendra Kushwaha SON OF Late Ramayan Kushwaha Village-Pipra Kutti,
Police Station -Valmikinagar, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Baxi SRP Sinha, Sr. Advocate

Mr.Vijay Kr Singh No. 1

For the Opposite Party/s : Mr.Uday Chand Prasad

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 19-07-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
registered for the offence punishable under sections 302,
120(B), 34 of the Indian Penal Code.

3. As per prosecution case, it is alleged by the
informant that on the alleged date of occurrence, co-accused
Paras Kushwaha came to his house and took his son Abhishekh
Kumar for settle the previous dispute between Ramayan
Kushwaha and his son but the accused persons including the
petitioner confined him in a room and later on, informant's son
was killed by the accused persons.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He has



falsely been implicated in this case on being brother of the Seema Kumari with whom, the deceased has love affairs. No one is eye witness of the alleged occurrence. During course of investigation, no any consistent evidence has brought on record against the petitioner. He has got no criminal antecedent and languishing in judicial custody since 12.6.2024. Similarly situated co-accused Krishna Kumar has already been enlarged on bail by this Court vide order dated 23.2.2022 passed in Cr. Misc. No. 44911 of 2021.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Valmikinagar P.S. Case No. 60 of 2020 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. 1st Bagaha at West Champaran.

(Sunil Kumar Panwar, J)

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