

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61840 of 2024

Arising Out of PS. Case No.-64 Year-2024 Thana- MUFFASIL District- West Champaran

Nitish Rai @ Nitesh Kumar @ Nitesh Rai Son of Sri Brij Rai @ Brij Rai
Resident of village- Lalgah ward no 4, Ps-Bettiah Muffasil, District-West
Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sharad Kumar Verma

For the Opposite Party/s : Mr. Satyendra Prasad

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 11-12-2024 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in a case registered for the
offences punishable under Sections 302, 201 and 34 of the
Indian Penal Code.

3. Learned counsel for the petitioner submits that
Petitioner has antecedent of one case and is in custody since
08.05.2024 and the informant alleges that he works as a labourer
in Siwan and used to visit his house in 2-3 months, further on
02-02-2024, in his absence, petitioner along with other named
accused persons came to his house and entered into an
altercation with his wife and thereafter strangled her to death
and with a view to conceal the evidence, disposed/burnt her



body near a canal.

4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case. It is next submitted that from perusal of the allegation as alleged in the FIR, it would manifest that informant is not an eye-witness to the occurrence rather FIR came to be instituted by the informant alleging that he was informed by his villagers, but then the name of the villager is not mentioned in the FIR, which casts an aspersion on the case of the prosecution, it is thus submitted that the entire allegation hinges around suspicion. It is next submitted that charge sheet has been submitted as such no useful purpose would be served by keeping the petitioner in jail in the nature of allegation as alleged in the FIR.

5. Learned A.P.P. for the State opposes the prayer for regular bail of the petitioner.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, be released on bail on furnishing bail bonds of Rs. 10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Bettiah Muffasil P.S. Case No. 64 of 2024.



7. It is made clear that if the learned Trial Court comes to a conclusion that petitioner after his release is trying to delay the trial in any manner in that event the learned Trial Court shall be at liberty to cancel the bail bonds of the petitioner forthwith after recording reasons.

(Satyavrat Verma, J)

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