

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68720 of 2024

Arising Out of PS. Case No.-101 Year-2024 Thana- SHRIKRISHNAPURI District- Patna

Prakash Kumar Bhaumik, S/o Dilip Kumar Bhaumik, Resident of 1/2, Ward No. 02, Mai Ji ka Pokhar, Riga Road, PS- Sitamarhi. District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Nagendra Kr. Singh, Adv. Mr. Ranjit Kumar Yadav, Adv.
For the Opposite Party/s	:	Mr. Binod Kr. No. 3, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

3 20-11-2024 Heard Mr. Nagendra Kr. Singh, learned counsel for the petitioner and Mr. Binod Kr. No. 3, learned APP for the State.

2. Petitioner seeks regular bail in connection with Sri Krishna Puri P.S. Case No. 101/2024 dated 29.03.2024 registered for the offence punishable under Section 304 of the Indian Penal Code.

3. The main submissions advanced by learned counsel for the petitioner are that though the petitioner is named in the FIR and he has been alleged to have committed murder of the informant's grandfather by pressing his mouth and other parts of the body but the said allegation is completely unbelievable as the petitioner had no reason or motive to commit the alleged



heinous crime and admittedly, no postmortem examination was done over the dead body of the deceased, so, the exact cause of death has not been ascertained and except the CCTV footage of which the details have been given in the FIR, the prosecution has nothing against this petitioner to support the allegations. Learned counsel further submits that the petitioner has been languishing in jail since 30.03.2024 and has fair and clean antecedent.

4. On the other hand, learned APP for the State has vehemently opposed the bail prayer of the petitioner and submitted that there is a strong electronic evidence against this petitioner to substantiate the allegations levelled against him in the FIR and during the investigation, the prosecution party made available the CCTV footage containing the details of the commission of the occurrence to the police and the same was examined by the Investigating Officer, and also, sent to FSL and after examining the footage, the Investigating Officer found substance in the allegations levelled against this petitioner in the FIR and consequently the petitioner was chargesheeted and in this regard, the statements of witnesses mentioned in paragraphs No. 10 and 11 of the case diary are relevant.

5. Having considered the seriousness of the



allegations appearing against this petitioner from the FIR and getting support from the above referred electronic evidence, this Court is not inclined to grant the relief of bail to the petitioner. Accordingly, the prayer stands rejected.

(Shailendra Singh, J)

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