

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 70863 of 2024

Arising Out of PS. Case No.-443 Year-2023 Thana- UDWANTNAGAR District- Bhojpur

Fagu Dom S/o Kedar Dom R/o VILLAGE- BELAUR, P.S.-
UDWANTNAGAR, DIST.- BHOJPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amarendra Kumar, Adv

For the Opposite Party/s : Mr. Uday Pratap Singh, APP

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

ORAL ORDER

2 26-09-2024 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 Udwanthnagar P.S. Case No. 443 of 2023 dated 16.10.2023 registered for the offences punishable u/s 302 read with section 34 of the Indian Penal Code.

3. As per the prosecution case, the petitioner and the co-accused person are alleged to have killed the nephew of the informant by strangulating his neck.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is the brother-in-law of the deceased.



There is no eyewitness of the alleged occurrence. The cause of death is suffocation due to hanging leading to death. There is no specific allegation against the petitioner. Similarly situated co-accused has already been granted bail by this court *vide* order dated 07.08.2024 passed in Cr. Misc. No. 19759 of 2024. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 17.10.2023.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

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 concerned, Bhojpur, Ara in connection with Udwantnagar P.S. Case No. 443 of 2023.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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