

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70015 of 2023

Arising Out of PS. Case No.-229 Year-2023 Thana- RAMGARHWA District- East
Champaran

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UDAY BIHARI PRASAD SON OF LATE HAZARI LAL PRASAD
VILLAGE- BELA PS -RAMGARHWA, DISTRICT -EAST CHAMPARAN
MOTIHARI AT PRESENT AT MOHALLA- TRILOKI NAGAR, KOERIYA
TOLA, PS- RAXAUL, DISTT- EAST CHAMPARAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Rakesh Kumar Sharma, Advocate Mr. Santosh Kumar Pandey, Advocate
For the Opposite Party/s	:	Mr. Anil Prasad Singh, APP
For the iNformAnt	:	Anupama Raj, Advocate Aniket Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 27-02-2024 Heard learned counsel for the petitioner
and the State.

2. Petitioner apprehends arrest in a case
registered for the offence punishable under sections 302,
201 , 120(B) and 34 of the Indian Penal Code.

3. The case of the prosecution, in brief, is that
the informant performed a love marriage with Ayushi
Gupta in Arya Samaj Temple, Delhi, on April 12, 2023.
Thereafter, on May 7, 2023, the brother of the wife of the
informant, namely, Vikash Prasad, his sister, Saloni, and



his brother-in-law, Lalan Prasad, came to the house of the informant in Delhi, and they requested to participate in the marriage of Vikash Prasad, which is scheduled to be held on June 3, 2023. Thereafter, the accused persons brought the wife of informant Ayushi Gupta to their house. It is further alleged that on June 6, 2023, at about 12:35 p.m., the informant was talking to his wife, Ayushi Gupta, on his mobile. In the meantime, the wife of the informant started screaming, and thereafter, her mobile got switched off. Thereafter, the informant tried to contact the family members of his wife on mobile, but they did not respond. Thereafter, the mother and father of the informant went to the house of the wife of the informant to inquire about the matter, but the family members of the wife of the informant scolded and ousted them from their house and threatened to kill them. The informant tried to search his wife but failed, and the informant is confident that all the F.I.R.-named accused persons, including these petitioners-accused under criminal conspiracy, have committed murder of his wife



and disappeared her dead body.

4. The learned counsel for the petitioner submits that the petitioner is a co-villager of the family of the deceased. The petitioner has been falsely implicated in this case merely on the basis of suspicion. Informant is not an eyewitness to the alleged occurrence. As per the FIR, it is apparent that the deceased was brought home by Vikash Prasad, Saloni, and Lallan Prasad, and so far as this petitioner is concerned, he was ornamentally named in the FIR. It is further submitted that the petitioner has got no concern with the affairs of the deceased and his family members. There is also no motive assigned as to why this petitioner could have committed the aforementioned crime. Petitioner claims clean antecedent.

5. Learned counsel for the State opposes the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, in the event of arrest or surrender within six weeks from today, let the petitioner,



as named above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned SDJM, Raxaul in connection with Ramgarhwa P.S. case No. 229 of 2023 , subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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