

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72263 of 2024

Arising Out of PS. Case No.-100 Year-2019 Thana- RAUTARA District- Katihar

Chandan Sada S/o Chandeshwari Sada R/o Sirsa Chowk, P.S.- Muffasil,
Distt.- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh, Advocate

For the Opposite Party/s : Mrs. Indu Kumari Srivastava, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

4 13-12-2024 Heard learned counsel for the petitioner and Mrs.
Indu Kumari Srivastava, learned APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 363, 366 and 34 of the Indian Penal Code later on Sections 364, 302, 201 and 34 of the IPC were added.

3. The case of the prosecution is that the deceased had come to the house of her elder sister where she lived for two months, meanwhile, she had developed relation with this petitioner and one other co-accused. It is further alleged that this petitioner and one Sobha Kumari had conversation over mobile on 29.08.2019 that the deceased went to Kheriya Bazar but she did not return. Her daughter who is aged about two and half years was also with her. Later on, the dead body was found and



for that one U.D. case was lodged. The said dead body was identified by the informant.

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. During course of argument, it is submitted by learned counsel for the petitioner that this case is based only on the basis of suspicion. From perusal of the paras-42 to 44 of the case diary, it transpires that from the CDR of the alleged mobile, no data was found. It is further submitted that from perusal of para-97 of the case diary, it transpires that the informant of this case has given her restatement and in that restatement, she has not stated regarding relation of the deceased with this petitioner rather she has stated that if she had any relation with the petitioner then why the petitioner will kill her. She has not even doubted the involvement of this petitioner. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Other co-accused person has already been granted bail by this Court vide order dated 26.10.2024 in Cr. Misc. No. 64572 of 2024. Moreover, the petitioner is languishing in judicial custody since 11.06.2024.

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, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Rautara P.S. Case No. 100 of 2019 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Katihar.

(Ashok Kumar Pandey, J)

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