

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72373 of 2023

Arising Out of PS. Case No.-325 Year-2023 Thana- KESARIA District- East Champaran

Chandrika Ram Son Of Asharfi Ram R/O Village- Konia, P.S.- Kesariya,
Dist.- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Madhurendra Kumar
For the Opposite Party/s : Mr. Braj Kishore Pd.(App)

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

- 4 05-03-2024 1. Heard learned counsel for the petitioner and learned APP for the State.
2. The petitioner has preferred this application for grant of regular bail in connection with Kesariya P.S. Case no. 325 of 2023 registered under sections 302, 201 and 120B of the Indian Penal Code.
3. As per the prosecution case, the informant states that as a result of family dispute, the accused persons including her brother-in-law, the father-in-law who is the petitioner herein as also others had entered into altercation about four days ago. It is further stated that her *devar* (husband's younger brother) threatened that he would kill her husband if he did not deposit



the monthly instalment. She further states that as a result of dispute with respect to partition, her *devar* had assaulted them. While she was at her parents place, she received information about her husband having been killed. She states that she is fully convinced that the accused persons including the petitioner herein have a hand in his killing.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case because of family dispute which is evident from the contents of the F.I.R. itself. The allegations are primarily against the *devar* (brother-in-law) of the informant. The petitioner who is the father of the deceased is in custody since 3.7.2023 and charge-sheet has been submitted in the case.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and taking into consideration the nature of allegation against the petitioner in the F.I.R, the material that has transpired in course of investigation, the petitioner being in custody for 8 months since 3.7.2023 and charge-sheet having been submitted in the case, the petitioner is directed to be enlarged on bail in connection with Kesariya P.S. Case no. 325 of 2023, on



furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand)
with two sureties of the like amount each to the satisfaction of
the Chief Judicial Magistrate, East Champaran at Motihari.

(Partha Sarthy, J)

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