

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80819 of 2023**

Arising Out of PS. Case No.-82 Year-2023 Thana- DARPA District- East Champaran

Prabhawati Devi W/O Birbal Patel Village- Mahuawa Purainiya, P.S. Darpa,
District, East Champaran Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar No.III, Advocate

For the Opposite Party/s : Mr. Umeshanand Pandit, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA
ORAL ORDER**

3 18-03-2024 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks regular bail in connection with
Darpa P.S. Case No. 82 of 2023 registered for the offence under
Sections 302 and 201 of IPC.

3. As per the allegation made in FIR, informant came to
his house and enquire about his son, namely, Arpit Patel from
his wife, to which the wife of informant stated that he is playing
outside with children. Thereafter, the informant tried to search
his son but he could not found his son.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. He is custody since 30.08.2023.

5. However, learned APP for the State vehemently
opposed the prayer for regular bail.



6. On perusal of the FIR, case diary alongwith post mortem report, it appears that petitioner is not named in the FIR and during course of investigation, the name of the petitioner was surfaced and the statement of witness Kanti Devi the mother of deceased on suspicion basis and in the entire case diary there is no eye witness examined during investigation and only suspicion against the petitioner for committing murder of deceased and the cause of death of the deceased according to the postmortem report is due to Asphyxia pressure over neck.

7. Considering the aforesaid facts and circumstances of the case and also taking into account the period of custody, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate - 1st Class, Raxaul at Motihari, East Champaran in connection with Darpa P.S. Case No. 82 of 2023.

(Ramesh Chand Malviya, J)

saaurabhkr/-

U		T	
---	--	---	--

