

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81521 of 2023

Arising Out of PS. Case No.-73 Year-2023 Thana- PATAHI District- East Champaran

1. Shilpi Kumari D/O Prabhu Baitha R/O Village- Khutauna, P.S.- Patahi, District- East Champaran
2. Ajay Baitha @ Ajay Kumar Son Of Prabhakar Baitha R/O Village- Haranhiya (Harnahi), P.S. And District- Sheohar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Rahul Singh
For the Opposite Party/s	:	Mr.Satyendra Prasad

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 08-02-2024 Heard learned counsel for the petitioners and learned APP for the State.

The petitioners have prayed for regular bail in a case registered for the offence punishable under sections 302, 201, 34 of the Indian Penal Code.

As per FIR, the informant alleged that the petitioners and co-accused persons committed murder of his son due to love affairs dispute.

Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. The petitioners have falsely been implicated in this case merely on



the basis of suspicion. The Petitioner No-2 is not named in the FIR and they have no concern with the alleged occurrence. The informant is not an eye witness of the alleged occurrence. It is further submitted that the petitioners have got no criminal antecedents. Moreover, they are languishing in judicial custody since 09.03.2023.

Learned APP appearing for the state has vehemently opposed the prayer of regular bail and submitted that the petitioners committed murder of the informant's son. From perusal of the Case Diary, it appears that the petitioners committed murder and during investigation, the petitioner no-1 confessed her guilt which is mentioned at Para 26 of the Case Diary, wherein she has stated that she in connivance with her husband committed murder of the informant's son by means of knife and upon confessional statement, knife used in this allege occurrence, cloth with blood stained and other articles were recovered and petitioner No-2, who is also husband/co-accused of the petitioner-1 supported the prosecution version which is mentioned at para 35 of the Case Diary. As per CDR Report, it is further submitted that at date of occurrence the petitioner No-1 had talked to the deceased, so CDR Report, corroborates the prosecution version.



Having heard the learned counsel for the parties and considering the facts and circumstances and gravity of this case, this court is not inclined to enlarge the petitioners on bail and, as such, their prayer for bail stands rejected.

The trial Court is directed to expedite the trial and conclude the same as soon as possible.

(Sunil Kumar Panwar, J)

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