

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2298 of 2024

Arising Out of PS. Case No.-22 Year-2021 Thana- BOCHAHAN District- Muzaffarpur

Suresh Kumar Gupta @ Suresh Prasad Gupta S/O-Ramchandra Gupta R/O-
Mohalla Balughat ,P S- Town District -Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar @ S.K., Advocate

For the Opposite Party/s : Mr. Gauri Shankar Gupta, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 29-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Bochahan P.S. Case No.
22 of 2021, instituted for the offences punishable under Sections
302/34 of the Indian Penal Code.

3. The prosecution case, in short, is that, on the
pretext of some urgent work three accused persons, including
the petitioner called him and on the next day wife of the
informant received information by one Baban Singh that her
husband was lying in an ambulance. It is further alleged that
informant's husband was always expressed the fear of being
murdered.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. The name of the petitioner has transpired in the



present case merely on the basis of suspicion. It is further submitted that charge-sheet has already been submitted in this case. The petitioner is languishing in judicial custody since 01.07.2023 and has no criminal antecedent as has been stated in paragraph no. 3 of the present bail application. Similarly situated co-accused person has been allowed bail by a Co-ordinate Bench of this Court vide order dated 25.04.2022 passed in Cr.Misc. No. 1005 of 2022.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, taking into account the period of custody, the petitioner having no any criminal antecedent and claim based on parity, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Bochahan P.S. Case No. 22 of 2021.

(Rudra Prakash Mishra, J)

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