

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4490 of 2025

Arising Out of PS. Case No.-120 Year-2020 Thana- PIYAR District- Muzaffarpur

Umashankar Prasad S/O Late Ramdayal Prasad Resident of Village- Lautan,
P.S.- Sakra, Dist.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raju Kumar, Adv.

For the Opposite Party/s : Mr.Raj Kishor Singh, APP

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

ORAL ORDER

3 24-04-2025 Heard learned counsel for the petitioner and learned
APP for the State. Perused the case diary.

2. The petitioner seeks bail in connection with Piar
P.S. Case No. 120 of 2020 instituted for the offences under
Section 302 of the Indian Penal Code.

3. As per prosecution case, the accusation against the
petitioner is of committing murder of the Informant's sister.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged
against him and has falsely been implicated in the present case
due to ulterior motives with a view to extort money. The
petitioner is the full brother of the husband of the deceased. He
further submits that there is no medical report on record to show



the complicity of the petitioner of being involved in the alleged occurrence. The name of the petitioner has transpired in this case on the basis of the statement of the 3-years-old son of the deceased which is unbelievable. There is no eye-witness to the alleged occurrence. The petitioner has no concern with the alleged occurrence. The petitioner has no criminal antecedent and has surrendered before the court below on 31.07.2024 and, since then, he is in custody.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner, stating that there is specific and direct allegation against the petitioner of committing murder of the deceased. He further submits that the three years-old son of the deceased has disclosed the name of the petitioner. The postmortem report supports the prosecution case. Several witnesses at Para 7, 8, 9, & 10 of the case diary have supported the prosecution case. The Investigating Officer, after completion of investigation, has supported charge-sheet against the petitioner under Section 302 of the I.P.C. The offence alleged is serious in nature and, hence, the petitioner does not deserve bail.

6. Having heard learned counsel for the parties and considering the nature and gravity of the offence as also taking



into account of there being direct and specific allegation against the petitioner, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, the prayer for bail of the petitioner, above named, is rejected with a direction to the court below to expedite the trial and conclude the same expeditiously.

(Rudra Prakash Mishra, J)

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