

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47048 of 2025

Arising Out of PS. Case No.-126 Year-2024 Thana- GAUNAHA District- West Champaran

Birendra Uraw @ Virendra Uranv S/o Sri Jagan Uraw R/o Village- Mandiha,
P.S. Gaunaha, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sharad Kumar Verma, Adv.

For the Opposite Party/s : Mr.Md. Mushtaque Alam,APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 13-08-2025 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Gaunaha P.S. Case No. 126 of 2024 dated 25.09.2024 registered for the offences punishable u/ss 103(1), 238 read with Section 3(5) of the B.N.S.

3. As per the prosecution case, on 22.09.2024, the informant's father left the house and did not return then the informant started searching him. He came to know that his father went to the house of the petitioner and thereafter, he was missing. It is further alleged that the informant's father had illicit relationship with the petitioner's wife due to which the petitioner and the three unknown persons killed his father and disappeared



the dead body of the deceased.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is no eye witness to the alleged occurrence. Nothing has been recovered from the conscious possession of the petitioner. Learned counsel has further submitted para 8 of the bail petition that during the course of investigation, confessional statement of the petitioner was recorded at para no. 17 of the case diary and he has stated that on 22.09.2024 at about 12 O'clock in the midnight, he returned home and found his wife in compromising position with the informant's father Prabhu Ram and in sudden provocation and anger, the petitioner gave spear blow in the back of Prabhu Ram who died due to injury caused by spear on his back. It is further submitted that it is a case of sudden provocation of murder. The charge-sheet has been submitted against the petitioner. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 26.09.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner and submitted that the specific allegation against the petitioner is that he gave spear blow in the back of the informant's father who died due to injury



caused by spear on his back. As per the post-mortem of the deceased, the cause of death is haemorrhage and shock.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Bettiah, West Champaran in connection with Gaunaha P.S. Case No. 126 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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