

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74377 of 2024

Arising Out of PS. Case No.-125 Year-2024 Thana- BIBHUTIPUR District- Samastipur

Vinay Kumar Mishra @ Vinay Kumar, Son of Phuleshwar Mishra, R/o
Village- Kerai Sarpatti, P.S.- Bibhutipur, Dist.- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Subodh Kumar Jha, Advocate Mr. Pranav Kumar Jha, Advocate Mr. Chandra Mohan Jha, Advocate
For the Opposite Party/s	:	Mr. Surendra Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 21-01-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in connection with Bibhutipur P.S. Case No. 125 of 2024 registered for the offence punishable under Sections 302/34 of the Indian Penal Code.

3. The case of the prosecution is that Vinay Kumar Mishra, Sanjeet Kumar Mishra, Lal Babu Mishra, Shivam Kumar, Rinku Devi have committed murder of sister of the informant. It has further been alleged that the marriage was solemnized 23 years ago with Sanjeet Kumar Mishra. It has been stated that from two years, all the family members who are harassing the sister of the informant for bringing cash. In the



last part of the F.I.R., It is stated that Prince Kumar Mishra has seen the occurrence.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has been falsely implicated in this case. It is further submitted that the petitioner is elder brother-in-law of the deceased and he is living separate from his brother and the deceased. He has got no concern with the affairs of the family of his brother. It has also been submitted that Prince Kumar Mishra who is said to be the eye witness of the case has been examined during trial and he has stated that he received the information that his mother has died. When he arrived at his house, he came to know that his mother has fallen from roof and during treatment, she died. Prince Kumar Mishra is said to be the eye witness of the occurrence and he himself has not supported the case of the prosecution. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. Petitioner is languishing in judicial custody since 20.05.2024.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and



considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Rosera, Samastipur in connection with Bibhutipur P.S. Case No.125 of 2024.

(Ashok Kumar Pandey, J)

lata/-

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

