

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.75296 of 2024**

Arising Out of PS. Case No.-24 Year-2024 Thana- Rasalpur District- Bhagalpur

Birju Kumar, Male, aged about 29 years, S/o Vinod Das, R/o village- Purab Tola, Bholsar, P.S.- Rasalpur, Distt.- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Ranjan Kumar Jha, Advocate

For the Opposite Party/s : Mr. Aditya Narayan Singh.1, APP

**CORAM: HONOURABLE MR. JUSTICE KHATIM REZA**  
**ORAL ORDER**

3      18-01-2025                      Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. The petitioner seeks bail in connection with Rasalpur PS Case No.24 of 2024 dated 26.04.2024, instituted for the offence punishable under Sections 302, 201/34 of the Indian Penal Code.

3. The prosecution case, in short, is that in the morning of 26.04.2024 at around 06.00 AM the informant was informed by the villager that her husband, Bablu Mandal, has been murdered and his dead body has been kept near Rangra Pokhar. Upon this, she went there and identified the dead body of her husband. It is also alleged that a *Gamcha* was tied around the neck of her husband and there were several injuries of knife on his body.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The FIR is against unknown. Only on suspicion, the petitioner has been made accused in this case. The statement of cousin of the deceased has been recorded in paragraph 18 of the case diary, wherein, he has stated that there was illicit relationship between the petitioner and the wife of the deceased and he might have been killed the deceased. Further submission is that in paragraph 22, there is mention that CCTV footage does not disclose any clue with regard to the alleged occurrence. Further submission is that the petitioner had purchased one tractor, one Toto and a motorcycle in the name of the deceased just to hide those things from their family members because they were keeping greedy eyes on the money of the petitioner. The deceased and the petitioner were doing Tractor and Toto service business and they used to visit the house of each other frequently. Further submission is that so far CDR report is concerned, it is true that both were on business terms and used to visit the house of each other regularly and they used to talk on mobile also with each other. It is also submitted that there is no eye witness to the occurrence. Petitioner is in custody since 10.06.2024 having clean antecedents.



5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the CJM, Bhagalpur, in Rasalpur PS Case No.24 of 2024.

7. The application stands allowed.

**(Khatim Reza, J)**

J. Alam/-

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