

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79689 of 2024

Arising Out of PS. Case No.-263 Year-2023 Thana- BIRPUR District- Supaul

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Bambam Kumar @ Bambam Kumar Das S/O Nirdhan Das R/O Ward No.- 3,
Ramai, P.S- Forbesganj, District- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rakesh Kumar Sharma
For the Opposite Party/s : Mr.Ram Bilash Roy Raman

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 18-01-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offence under Sections 302, 365, 363, 34 of the Indian Penal Code.

3. As per F.I.R., the wife of informant namely Pooja Devi had illicit relation with co-accused Mantu Das and it is alleged that on 14.08.2023, informant's wife with the help of co-accused persons namely Mantu Das, Nirdhan Das and this petitioner killed her minor daughter Gauri Kumari. It is further alleged that accused persons also took away informant's second daughter, aged about 7 years, with them and might have killed her.

4. Learned counsel for the petitioner submits that



from perusal of F.I.R., it is apparent that informant is not eye-witness to the alleged occurrence and only suspicion has been raised against petitioner and others. Learned counsel for the petitioner further submits that earlier, the informant had lodged Birpur P.S. Case No. 280 of 2022, in which, this petitioner alongwith others were made accused with allegation that they abducted the wife of informant, however during investigation, the victim (wife of informant) denied the *factum* of abduction. Save & except suspicion, there is no other tangible material against this petitioner to show his involvement in the aforesaid occurrence.

5. Learned A.P.P. for the State has opposed the prayer for anticipatory bail.

6. Considering the fact that only suspicion has been raised against this petitioner and there is no tangible evidence against this petitioner, his prayer for anticipatory bail is allowed.

7. Accordingly, in the event of arrest/surrender before the Court below within a period of eight weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Birpur, Supaul in connection with Birpur (Balua Bazar) P.S. Case No.



263 of 2023, subject to condition as laid down under Section
438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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