

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84219 of 2024

Arising Out of PS. Case No.-303 Year-2024 Thana- SHAHPUR PATORI District- Samastipur

Umesh Choudhary Son of Ram Bilash Choudhary Resident of Siura, Ward
No.- 5, P.S.- Patory, Distt.- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Pramod Kumar Singh, Advocate
For the Opposite Party/s :	Mr.Ashok Kumar Singh, APP
	Mr. Mahendra Pratap, Advocate

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 06-02-2025 Heard learned counsel for the petitioner and Mr.
Ashok Kumar Singh, learned APP for the State.

2. The petitioner has prayed for bail in connection with Patory P.S. Case No.303 of 2024 registered for the offence punishable under Sections 126(2), 103(1), 352, 351(2), 3(5) of the BNS.

3. The case of the prosecution is that the petitioner who is uncle-in-law of the informant was living in the house of the informant and has constructed a '*Bathan*' therein. It is further alleged that different persons came to meet him and that he was indulged in trade of illegal liquor. The husband of the informant has objected this trade. It is further alleged that once Raushan Kumar has threatened the husband of the informant of dire consequences. In evening the informant went to sleep with



her family members. It is further alleged that in evening Raushan and Umesh killed the husband of the informant. The informant believes that the offence has been committed by the petitioner and others.

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. From perusal of the postmortem report it is clear that the deceased has received multiple injuries. It is the case of the prosecution that the murder was committed inside the house, but there is no eyewitness in the case diary. It is very natural that the deceased might have raised alarm while being assaulted so badly, but no body has heard any point of noise or no body has seen the occurrence. The case is based on the mere suspicion of the informant. Petitioner is languishing in judicial custody since 01.08.2024.

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/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, Ist Class, Samastipur in connection with Patory P.S. Case No.303 of 2024.

(Ashok Kumar Pandey, J)

Prakash Narayan

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