

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12418 of 2015

Arising Out of PS.Case No. -114 Year- 2014 Thana -BAIRIYA District-
WESTCHAMPARAN(BETTIAH)

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Shah Hussain Mian @ Sausain Mian Son of Ibrahim Mian resident of
Village - Pokhariah, P.S. Bairiah, District - West Champaran.

.... Petitioner

Versus

The State of Bihar. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Adv.

For the Opposite Party/s : Mr. B.M.P.Sinha, APP

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CORAM: HONOURABLE MR. JUSTICE AMARESH KUMAR LAL
ORAL ORDER

3 20-07-2015 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 302/34 of IPC and 27 of the
Arms Act.

It is submitted that FIR has been lodged against
unknown. During investigation, a suspicion has been raised
against the petitioner as the deceased used to come to his house.

It is further submitted that except suspicion raised by
the husband of the deceased, there is no allegation of overtact
against the petitioner. There is also call details between the
deceased and Dasai Gaddi. There is no cogent evidence against the
petitioner. However, after investigation, charge-sheet has already

been submitted against the petitioner and there is no chance of tampering with the witnesses.

Learned counsel for the State could not controvert the contention of the petitioner while opposing his prayer for bail.

Considering the facts and circumstances, the above named petitioner is directed to be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand only) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Bettiah, West Champaran in Bairiya P. S. Case No. 114 of 2014 with following conditions:-

1. The petitioner will not indulge himself in similar or any other offence.
2. One of the bailors must be the close relative of the petitioner.
3. The petitioner will be well represented in the Court on each and every date and in case of absence for two consecutive dates or in case of violation of terms of bail, his bail bond would be liable to be cancelled by the learned Court concerned.

(Amaresh Kumar Lal, J)

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