

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.23611 of 2016**

Arising Out of PS.Case No. -18 Year- 2015 Thana -SAMHO District- BEGUSARAI

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GAUTAM KUMAR SAWAN @ GAUTAM KUMAR SAWANT, S/o  
Gyas Nandan Singh, R/o Pokharia, Ward No. 39, P.S. + Town + District-  
Begusarai

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Vinod Gautam, Advocate  
For the Opposite Party/s : Mr. Sharda Kumari (APP)

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**CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL**  
**ORAL ORDER**

3      05-08-2016                      Heard learned counsel for the petitioner and  
  
learned APP for the State.

Petitioner apprehends arrest in connection with  
  
Samho P.S. Case No. 18/15 for offences alleged under Sections  
  
302, 201/34 of the Indian Penal Code.

The prosecution case is that a dead body of a girl  
  
without head aged about 20 years has been recovered but no one  
  
has identified the dead body. Informant suspected that unknown  
  
persons had killed the girl and thrown her dead body.

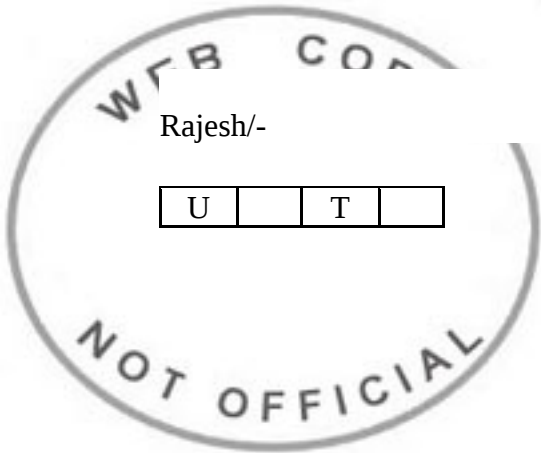
It has been submitted by the learned counsel for  
  
the petitioner that he is innocent and has not committed any  
  
offence. He submits that the First Information Report has been  
  
lodged against unknown and later on since petitioner is son of

Sarhu (brother-in-law) of one of the co-accused with whom the deceased had alleged to have run away, the name of the petitioner has surfaced. He further submits that petitioner has no connection with the alleged offence and has been made accused on the basis of some materials which have come to light against his father, namely, Gyas Nandan Singh.

However, learned APP for the state submits that as per the supervision note the petitioner is son of Gyas Nandan Singh, who is brother-in-law of the co-accused with whom the deceased had run away, hence, opposes the prayer for bail.

Considering the suspicious nature of accusation, let petitioner, above named, in the event of his arrest or surrender before the court below within a period of eight weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Sub-Divisional Judicial Magistrate, Begusarai, in connection with Samho P.S. Case No. 18/15, subject to the conditions as laid down under Section 438(2) Cr.P.C. However, since the petitioner is accused in another case also and does not have a clean antecedent, he is directed to appear before the police/court as and when required and failure to appear on two consecutive dates without assigning any reason will entail

cancellation of his bail bonds.



**(Nilu Agrawal, J.)**