

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.54330 of 2017**

Arising Out of PS.Case No. -153 Year- 2017 Thana -CHOUTARWA District-  
WESTCHAMPARAN(BETTIAH)

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1. Nausad Akhtar @ Nausad Aktar, Son of Late Jahir Rahman, resident of  
Village- Bhulahwa Dih, P.S.- Chautarwa, District- West Champaran.

.... .... Petitioner/s

Versus

1. The State of Bihar

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

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**Appearance :**

|                          |   |                          |
|--------------------------|---|--------------------------|
| For the Petitioner/s     | : | Mr. Vijay Kr Singh No. 1 |
| For the Opposite Party/s | : | Mr. Sri Atul Chandra     |
| For the informant        | : | Mr. Arvind Kumar Singh   |
|                          |   | Mr. Munnavar Alam        |

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**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA**  
**ORAL ORDER**

2      15-11-2017                      The petitioner seeks regular bail in connection with  
  
Chautarwa P.S. Case No. 153 of 2017, registered for offences  
  
punishable under Sections 302, 201 and 34 of Indian Penal Code.

Petitioner is not named in the F.I.R and the case is under  
  
Section 302 Indian Penal Code and later on he has been named in  
  
this case on confession.

It has been submitted on behalf of the petitioner that he  
  
has falsely been implicated in this case and in fact the motorcycle  
  
of the son of petitioner hit the son of informant due to which he  
  
sustained injury and petitioner and his son brought him to his  
  
house and treated her but later on he died and at best it can be a  
  
case of Section 201 of the Indian Penal Code. Further petitioner



has been in custody for last months.

Learned counsel for the State as well as learned counsel for the informant opposed the prayer for bail.

Having heard both sides, considering the fact and circumstances of the case this application is disposed of with direction to the court below that once charge-sheet is submitted, he will verify the allegations from cased diary and if there is no allegation except what is stated by learned counsel for the petitioner, he shall release the petitioner on bail to his own satisfaction, otherwise he is free to pass any order as he deems fit and proper

**(Vinod Kumar Sinha, J)**

sunil/-

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