

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27373 of 2017

Arising Out of PS.Case No. -148 Year- 2016 Thana -PIPRAKOTHI District-
EASTCHAMPARAN(MOTIHARI)

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Md. Arman, Son of Md. Neyamuddin, resident of Village- Baltharwa, P.S.
Piprakothi, District- East Champaran.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Karandeep Kumar, Advocate

For the Opposite Party/s : Mr. Amitesh Kumar, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

4 26-07-2017 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

Petitioner is languishing in judicial custody since
24.03.2017 in connection with Piprakothi P.S. Case No. 148
of 2016 registered for the offence punishable under Sections
302 and 120(B) of the Indian Penal Code, although charge-
sheet has been submitted under Section 306 of the Indian
Penal Code, which has been brought on record by way of
supplementary affidavit.

The prosecution case, as lodged by the brother of
the deceased, Azad Alam, is that his brother was driver of
JCB of the petitioner and had proceeded for driving the JCB



from his house on 30.09.2016. After two days co-accused, Riyaz, another driver of the JCB, informed the informant that his brother has died. The informant raised suspicion that petitioner and other co-accused persons are having hand in the alleged murder.

It has been submitted by the learned counsel for the petitioner that he is the owner of the JCB under whom petitioner and other driver worked and they had the driver room where staff slept and that he had no concern with the alleged occurrence. In fact, he had informed the family members of the deceased and also the police and that he has no criminal antecedent. It is further submitted that charge-sheet has already been submitted, hence, there is no chance of tampering with the prosecution evidence and there is no eye-witness to the alleged occurrence.

However, learned A.P.P. for the State submits that the informant's brother was hanged in the driver room situated in the house belonging to the petitioner, hence, opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let the petitioner above named be



enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, East Champaran at Motihari in connection with Piprakothi P.S. Case No. 148 of 2016.

(Nilu Agrawal, J.)

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