

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14801 of 2017

Arising Out of PS.Case No. -200 Year- 2016 Thana -KUCHAIKOTE District- GOPALGANJ

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Md. Meraj, son of Sattar Miya, resident of village- Rampur Kherya, P.S.-
Kuchaikote, District- Gopalganj, Bihar.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Indrajeet Bhushan

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

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

2 18-04-2017 Heard both sides.

The petitioner Md. Meraj seeks bail in Kuchaikote P.S.

Case No. 200 of 2016 under Section 302 and other Sections of the

Indian Penal Code.

The informant alleged that he went to his Sasural and

when he returned on the same day, he did not find his son Jitan

Yadav @ Jitendra Yadav in the house. On query, his daughter told

that Jitan Yadav @ Jitendra Yadav went along with Bhola Mian,

but he did not return. After sometime, the informant received

information that the dead body of his son was found hanging in a

tree.

Learned counsel for the petitioner submits that Bhola

Mian went with the deceased. The petitioner is not named in the



F.I.R. The name of the petitioner figured in the confessional statement of Bhola Mian and save and except the aforesaid confession, there is no other material on record to show involvement of the petitioner in murder of Jitan Yadav @ Jitendra Yadav. Similarly situated co-accused Mohammaddin Mian @ Mohemmeddin Miyan has already been enlarged on bail vide order dated 31.01.2017 passed in Cr. Misc. No. 55672 of 2016. The case of the petitioner stands on same footing.

On the other hand, learned Additional P.P. as well as learned counsel for the informant vehemently opposed the prayer for bail and submitted that in paragraph- 9, 10 and onwards of the case diary, the witnesses had stated that the petitioner also participated in murder of the deceased along with Bhola Mian, but from perusal of the statement of the witnesses it appears that they are not the eye witnesses of the occurrence and they are simply hearsay witnesses.

Considering the facts aforesaid and the nature of allegation made against the petitioner, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Gopalganj in connection with Kuchaikote P.S. Case No. 200 of 2016, G.R. No. 2940 of



2016.

(Prabhat Kumar Jha, J)

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