

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.27792 of 2017**

Arising Out of PS.Case No. -11 Year- 2017 Thana -PANDAUL District- MADHUBANI

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1. Ugan Das, son of Late Saryug Das, resident of Village- Bhawanipur,  
P.S.- Sakari, District- Madhubani.

.... .... Petitioner/s

Versus

1. The State of Bihar

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

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**Appearance :**

For the Petitioner/s : Mr. Ajay Kumar Thakur  
Mr. Ravi Ranjan  
Mr. Amit Kumar

For the informant : Mr. Shailendra Kr. Jha

For the State : Mr. Dr. Rabindra Kumar

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

4      31-07-2017                      Heard learned counsel for the petitioner, learned  
counsel for the informant and learned APP for the State.

Petitioner seeks bail in connection with Pandaul P.S.  
Case No. 11/17 for offences punishable under Sections 302,  
201/34 of the Indian Penal Code.

The prosecution case, as lodged by the son of the  
deceased, is that his father was a mason and he had gone with  
Bachan Chaupal, who returned in the night and said that his father  
after drinking *tari* had gone with the petitioner somewhere. After  
some time petitioner returned and said that his father had gone  
with a motorcycle driven person somewhere. Later on the dead  
body of the informant's father was found in the field.



It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal history and has been falsely implicated in the aforesaid case. He submits that charge-sheet has already been submitted, hence, there is no chance of tampering with the prosecution evidence and another co-accused named by said Bachan Chaupal, namely, Kisun Das @ Kishan Das, who was on inimical terms with the informant's father, has since been granted the privilege of bail by a Coordinate Bench of this Court in Cr. Misc. No. 12995 of 2017 on 17.05.2017. He further submits that except suspicion there is no other allegation and there is no eye-witness to the alleged occurrence.

However, learned counsel for the informant and learned APP for the State oppose the prayer for bail stating therein that Bachan Chaupal had named this petitioner with whom the informant's father had gone and thereafter has been killed.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Addl. Sessions Judge-VI, Madhubani, in connection with Sessions



Trial No. 197/2017, arising out of Pandaul P.S. Case No. 11/2017, subject to the condition that both the bailors would be a close relative of the petitioner having sufficient immovable property within the jurisdiction of the concerned police station, who will file an affidavit stating their relationship with the petitioner.

**(Nilu Agrawal, J)**

Rajesh/-

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