

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.33529 of 2018

Arising Out of PS.Case No. -22 Year- 2018 Thana -CHAUSA
District- MADHEPURA

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Jwala Singh S/o Late Nageshwar Singh, R/o Vill.- Lualgan,
P.S.- Chausa, District- Madhepura.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anant Kumar-1

For the Opposite Party/s : Mr. Smt. Reena Sinha

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

3 06-07-2018 The petitioner seeks bail in connection with Chausa
P.S. Case No. 22 of 2018 dated 31.01.2018 instituted for the
offences under Sections 302, 201, 120(B)/34 of the Indian
Penal Code.

The informant, who is father of the deceased, has
alleged that his son worked as a tractor driver to the
petitioner. For some time, his wages were paid but for the
year 2017, nothing was paid to his son. Several attempts of
his son (deceased) to have his wages paid bore no fruit. On
one day, son of the informant was called to the house of the
petitioner for payment of his wages. Thereafter, the son of
the informant never returned. On enquiry by the informant,



petitioner and others expressed their complete ignorance. Later, dead body of the son of the informant was found lying in a maize field situated at a distance of five hundred meters from the house of the petitioner.

The learned counsel for the petitioner, therefore submits that beyond suspicion, there is no other material against the petitioner. Even if it is assumed that the deceased worked as a driver to the petitioner and was not paid his wages, that would not be the impelling motive of the petitioner to have eliminated the deceased. Nobody has seen the occurrence and it is only on the basis of the aforesaid suspicion of the informant (father of the deceased) that the petitioner has been sought to be prosecuted in the present case. Not only the petitioner but all of his family members also have been made accused in the present case. It has, therefore been submitted that beyond suspicion, there is no other material.

The petitioner does not have criminal antecedent and is in custody since 01.02.2018.

Regard being had to the aforestated facts, the petitioner above named, is directed to be released on bail on his furnishing bail bonds of Rs. 10,000/-(ten thousands) with two sureties of the like amount each to the satisfaction of



learned Sub-Divisional Judicial Magistrate, Uda Kishunganj,
Madhepura in connection with Chausa P.S. Case No. 22 of
2018.

(Ashutosh Kumar, J)

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