

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8105 of 2019**

Arising Out of PS. Case No.-125 Year-2018 Thana- DEO District- Aurangabad

MD. SHAIFULLAH @ SHAI FALLAH Late Abdul Rahman Resident of
Village-Bala Pokhar, P.S.- Deo, District- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailesh Kumar Singh
For the Opposite Party/s : Mr. Ajay Kumar Jha

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 03-04-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in
connection with Deo P.S. Case No. 125 of 2018 registered for
the offence punishable under Sections 302, 201/34 of the Indian
Penal Code.

Informant has alleged that his brother Ram Pukar
Paswan had left the house on 25.10.2018 and thereafter was
traceless. On 27.10.2018 the dead body of his brother was
found in a well near the village. It has further alleged that Ramji
Gahlot wants to grab his land and due to this reason he along
with his four brothers have killed his brother.

It has been submitted on behalf of the petitioner that



petitioner is not named in the FIR. He has been implicated in this case during investigation by the I.O. only on the basis of statement given by witness U/s 164 of Cr.P.C. There is no eyewitness of the occurrence. Petitioner has no criminal antecedent and he is in custody since 05.12.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Aurangabad, in connection with Deo P.S. Case No. 125 of 2018 subject to the conditions that:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and his absence on two consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel his bail bond.

(3) If the petitioner tamper with the



evidence or the witnesses of the case, in that
case, prosecution will be at liberty to move for
cancellation of bail of the petitioner.

(S. Kumar, J)

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