

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1676 of 2019

Arising Out of PS. Case No.-1718 Year-2012 Thana- WEST CHAMPARAN COMPLAINT
District- West Champaran

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Sk. Mubarak, son of Late Sk. Samsul, resident of village- Mahuawa,
Vishunpurwa, P.S.- Shikarpur, District- West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Mosmat Rita Devi, wife of Late Bindeshwari Yadav, resident of village-
Mahuawa Bishunpurwa, P.S.- Shikarpur, District- West Champaran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Chaubey Jawahar, Advocate

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CORAM: HONOURABLE THE CHIEF JUSTICE
ORAL ORDER

2 18-01-2019 Heard learned counsel for the applicant and the
learned A.P.P.

The petitioner seeks bail in connection with Pr otest-
cum- Complaint Case No.1718c/2012, instituted for the offences
under Sections 302, 201/34 of the Indian Penal Code.

The contention raised on behalf of the applicant is that
the name of the applicant has been mentioned in the column of
the accused but after a final report had been submitted by the
police, the case proceeded further after a protest petition was
filed by the informant. A copy of the protest petition had been
filed on record. The said protest petition does not indicate the
name of the applicant in the contents thereof and no specific



role has been assigned to the petitioner. The implication of the applicant, therefore, appears to be on mere suspicion and, therefore, his case stands on a different footing from that of Harilal and others.

Keeping in view the aforesaid distinguishing feature, let the petitioner above named be released on bail on furnishing bail/bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of J.M-Ist Class, Bettiah, West Champaran in connection with Protest-cum- Complaint Case No. 1718c/2012.

(Amreshwar Pratap Sahi, CJ)

K.C.Jha/Nasimul

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