

THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.70833 of 2018

Arising out of PS. Case No.-755 Year-2017 Thana- TURKAULIYA District- East Champaran

Bulbul Kumar son of Arun Kumar, Resident of Muhalla- Balua Gopalpur,
P.S.- Town Motihari, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Murari Sharan Tiwari

Mr.Rajiv Ranjan

For the Respondent/s : Mr.Yogendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH

ORAL ORDER

3 10-01-2019 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks regular bail in connection with
Turkauliya P.S. Case No. 755 of 2017 registered for the offence
punishable under Sections 302, 201 and 120(B) of the Indian
Penal Code.

The allegation of the prosecution is that the deceased
son of the informant was called by the petitioner herein
whereafter they had gone to Motihari, however, the son of the
informant did not return back. Subsequent, it transpired that the
petitioner had been caught by the villagers and was being
detained along with motorcycle of the son of the informant at
Turkauliya Police Station. The informant is said to have gone to
the said Police Station and enquired whereabouts of the



deceased, however, subsequently information was received that a dead body was lying near the bank of Dhanauti river and upon going there, the informant saw that the dead body was that of his son.

The learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case and in fact the petitioner was a very close friend of the deceased and after they had gone to village Parsouna, the deceased had told the petitioner that he would return after sometime and had gone away. However, in the meantime, the co-accused persons came near the petitioner and started abusing and handed him over to Turkauliya Police Station along with the said motorcycle. It is further submitted that there is no iota of any evidence in the entire case diary to suggest any link of the petitioner with the alleged death of the son of the informant. It is further submitted that it has transpired during the course of investigation that the deceased was having illicit love affair with the daughter of Ramlakshan Rai and the said Ramlakshan Rai might be the person who might have done away with the deceased in view of the fact that despite several reprimand being made, the petitioner was not heeding to the advise of the said Ramlakshan Rai with regard to not meeting his daughter. Lastly, it is



submitted that the petitioner is having a clean antecedent and is languishing in custody since 21.05.2018.

Having regard to the facts and circumstances of the case, the petitioner, above named, is directed to be released on regular bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, East Champaran at Motihari in connection with Turkauliya P.S. Case No. 755 of 2018.

(Mohit Kumar Shah, J)

S.Sb/-

U		T	
---	--	---	--

