

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.79015 of 2018

Arising Out of PS. Case No.-114 Year-2018 Thana- SIMRA District- West Champaran

Gheghan Mian @ Gheghan Ansari S/o Phate Mian R/vill-Bairati, P.S-Semara
Chiutaha O.P,Distt.-West Champaran,Bagha.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Gupta

For the Opposite Party/s : Mr.Sri Atul Chandra

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 30-01-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in
connection with Semra P.S. Case No. 114 of 2018 registered for
the offence punishable under Sections 302, 201/34 of the Indian
Penal Code.

Informant has alleged that his son Sudarshan Bin had
gone to attend the call of nature on 15.08.2018 at 8:00 AM but
did not return then his 2nd son went in his search and found that
his dead body was thrown in the paddy field and he informed
his father, and they went to the place of occurrence and saw that
Bablu Mian and Lal Babu Mian were carrying dead body of his
son and on seeing him they threw dead body and fled away. He
has also suspected petitioner to have killed his son.

It has been submitted on behalf of the petitioner that
he has been named only on the basis of suspicion and informant



himself is not an eye witness and has implicated in this case only on the basis of land dispute between the parties. Petitioner has no criminal antecedent and he is in custody since 01.09.2018.

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 J.M. 1st, Class, Bagha, West Champaran, in connection with Semara P.S. Case No. 114 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 tampers 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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