

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.17406 of 2020**

Arising Out of PS. Case No.-183 Year-2019 Thana- MUFFASIL District- West Champaran

SHEIKH AFTAB @ BHAGAR SHEIKH @ BAGAR SHEIKH S/o Late  
Sheikh Ahmad R/o Village-Sheikh Dhurwa, P.S-Bettiah Muffasil (Manuapul),  
District-West Champaran. ... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Umesh Chandra Verma  
For the Opposite Party/s : Mr. Ashok Kumar

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH**  
**ORAL ORDER**

4      18-09-2020                      The present petition has been taken up for  
consideration through the mode of Video Conferencing in view  
of the prevailing situation on account of COVID-19 Pandemic.

Heard the learned counsel for the petitioner and  
Sri Ashok Kumar, the learned APP for the State.

The petitioners seek regular bail in connection  
with Bettiah Muffasil PS case no. 183 of 2019 instituted for the  
offences punishable under Section 302 of Indian Penal Code.

The case of the prosecution in brief is that after he  
was informed on mobile regarding strangulation of his father  
near pokhra in question during the night, he had reached at the  
alleged place of occurrence with his co-villagers and had found  
his father lying there dead. It has been alleged that the accused  
persons including the petitioner herein used to demand extortion



money from the father of the informant and the informant.

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case and is having a fair antecedent, inasmuch as he is an accused only in one other case. It is further submitted that there is no eye-witness to the alleged occurrence and the petitioner has been roped in the present case merely on suspicion. The petitioner is said to be languishing in custody since 17.08.2019. Lastly, it is submitted that the petitioner is ready and willing to abide by such conditions as may be deemed fit and proper to be imposed by this Court for the purposes of grant of bail.

Having regard to the facts and circumstances of the case, considering the submissions of the learned counsel for the parties and taking into account the minuscule evidence available in the case diary as against the petitioner herein, I find that benefit of doubt can be granted to the petitioner for grant of bail, however subject to certain conditions. Accordingly, the abovenamed petitioner is directed to be released on 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 Chief Judicial Magistrate, West Champaran, Bettiah in



connection with Bettiah Muffasil (Manuapul) PS case no. 183 of 2019.

This Court further directs that since the investigation of the present case is going on, the petitioner herein shall appear before the Officer-in-charge of the concerned police station on each and every Monday of the week and co-operate with the Investigating Officer and in case of two consecutive defaults in appearing before the said Officer-in-charge, the present privilege of bail being granted to the petitioner herein shall stand cancelled automatically and the petitioner would be taken into custody forthwith.

**(Mohit Kumar Shah, J)**

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