

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85745 of 2019

Arising Out of PS. Case No.-176 Year-2019 Thana- BAHADURGANJ District- Kishanganj

Md. Hasnain @ Hasnain Son of Ainuddin Resident of Satighatta, P.S.-
Bahadurganj, District- Kishanganj Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jitendra Kumar Pandey

For the Opposite Party/s : Mr.Satyavrat Verma

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

4 04-06-2020 Heard learned counsel for the petitioner and the
counsel appearing on behalf of the State as well as counsel for
the informant.

Petitioner is in custody in connection with
Bahadurganj P.S. Case No. 176 of 2019 for the offence under
sections 302 and 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that
petitioner has no criminal antecedent.

Learned counsel for the petitioner further submits that
there is no eye witness to the occurrence. The petitioner and
others have been suspected in killing of the son of the
informant.

The petitioner is in custody since 7.11.2019.

In this case, case diary was called for. In para-12 of
the case diary, it appears that witnesses learnt from the villagers
that petitioner and other have caught the son of the informant
and they took him towards river side and when the family



members followed the direction as the villagers disclosed the movement of the accused persons and the deceased, they saw corpus of the son of the informant in unconscious position. He was taken to hospital but he died.

Considering the fact that there is no eye witness to the occurrence and the case diary itself indicates that witnesses have learnt about the involvement of this petitioner and others on the basis of hearsay and there is no definite statement who has disclosed the involvement of the petitioner in carrying the deceased towards the river side, the Court is inclined to grant bail to the petitioner, let the petitioner, named above, be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Kishanganj, in connection with Bahadurganj P.S. Case No. 176 of 2019 subject to the condition that the petitioner on release has to render his service as volunteer for a period of one month to combat Covid-19 in Covid hospital and he is required to report to the district Civil Surgeon/Nodal Officer who shall utilize the service of the petitioner appropriately.

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(Anil Kumar Upadhyay, J)

