

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 86720 of 2019

Arising Out of PS. Case No.-107 Year-2017 Thana- CHANPATIA District- West Champaran

1. Ram Jan Mian @ Ramjaan Mian Age-50 years, Gender Male Son of Jalil Mian
2. Afroz Alam Age 21 Gender Male, Son of Ram Jan Mian @ Ramjaan Mian
3. Salauddin Alam Age 20, Gender Male, Son of Ram Jan Mian @ Ramjaan Mian
All Resident of Village - Upadhaya Tola, P.S.- Chanpatia, Distt - West Champaran.
4. Najma Khatoon (Female) Age – 24, Wife of Farman Alam Resident of Village - Chanpatia Bazar, P.S.- Chanpatia, Distt - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shashank Shekhar
For the Opposite Party/s : Mr.Surendra Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 13-02-2020 Heard learned counsel for the parties.

The petitioners apprehend their arrest in Chanpatya P.S. Case No. 107 of 2017 registered for the offence under Sections 302, 120(B), 34 of the Indian Penal Code.

In the F.I.R., the informant has stated that on 20-03-2017, his son had gone to attend a feast in Upadhaya Tola and thereafter, on 21-03-2017, he got an information that the dead body of his son is lying rear the railway track. It is alleged in the F.I.R. that since his son was having love affairs with daughter of petitioner no. 1, all the afore-named petitioners by



hatching conspiracy have killed his son and given a shape of rail accident.

It is submitted on behalf of petitioners that petitioners have falsely been implicated in this case. Save and except suspicion, there is nothing against the petitioners. It is further submitted that daughter of petitioner no.1 was already married in the year 2013 and as such, the allegations made against the petitioners are baseless. It was also submitted that *post-mortem* report shows that it was an accidental injury and from possession of deceased, the police has found a railway ticket, which goes to show that deceased might have been died due to the accident. Petitioners are having no criminal antecedent.

Considering the aforesaid facts and circumstances as well as nature of accusation, in the event of their arrest/surrender within a period of six weeks from today, let the above named petitioners be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned S.D.J.M.-V, Bettiah, West Champaran in connection with Chanpatya P.S. Case No. 107 of 2017 on the following conditions:

“(1) Petitioners shall cooperate in the trial and shall be properly represented on each



and every date fixed by the Court and shall remain physically present, as directed by the Court and on their absence on two consecutive dates without sufficient reason, their bail-bonds shall be cancelled by the Court below.

(2) If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.”

(Prabhat Kumar Singh, J.)

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