

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15354 of 2021

Arising Out of PS. Case No.-81 Year-2020 Thana- CHANPATIA District- West Champaran

FULENA MUKHIYA S/O Late Chandrika Mukhiya Resident of Village -
Rampur Naya Tola, P.S. - Yogapatti, District - West Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Sanjeev Kumar
For the State	:	Mr.A.P.P.
For the Informant	:	Mr. Shiv Kr. Dwivedi

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 23-07-2021 This matter is taken up for consideration through Video Conferencing.

Heard learned counsel for the petitioner, informant and the State.

The petitioner prays for grant of bail in a case registered for the offence punishable under sections 302 and 201/34 of the Indian Penal Code.

As per prosecution case, accused persons came to the house of the informant and took his son with them. Later on, his son did not return and his dead body was found in the water.

It is submitted on behalf of the petitioner that petitioner is not named in the FIR and name of the petitioner has come on the basis of confessional statement of co-accused Birendra Chaudhary who has been granted bail by a coordinate bench of this court. He



further submits that save and except confessional statement, there is no substantive evidence to suggest implication of the petitioner in this case. Petitioner is in jail custody since 02.10.2020.

Learned counsel for the informant vehemently opposes the prayer for bail.

Considering the period of custody and co-accused has been granted bail by this court, this bail application is allowed. Let the petitioner be released on bail on furnishing bail bonds of Rs 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Bettiah, West Champaran in Chanpatia Sirisiya P.S. Case no. 81/2020 on the following conditions.

(1) Petitioner shall co-operate 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 his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled by the Court below.

(2) If the petitioner tampers 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)

s.hassan/-

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

