

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31744 of 2021

Arising Out of PS. Case No.-251 Year-2018 Thana- MANJHAGARH District- Gopalganj

BHOLA MIYAN @ JAMIRUDDIN MIYA @ JAMRUDDIN MIYAN SON
OF FAZAL MIAN @ FAZLE RAHIM MIYA R/O VILLAGE- KHAGNIBIBI
KEBARI, P.S.- GOREYAKOTHI, DISTRICT- SIWAN.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Lokesh Kumar Singh

For the Opposite Party/s : Mr.Abhay Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 26-08-2021 Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in a case registered for the offence punishable under Section 302, 201/34 of the Indian Penal Code.

As per the prosecution case, on secret information that a dead body is lying in a ditch near the village Safapur, the place was searched and a half decomposed dead body of a woman was found. Later, one Nurisa Bibi came to the police station and claimed to identify the deceased by her wearing apparel. On her statement and taking such identification to be correct, the husband and other family members of the deceased were made accused in this case.

Learned counsel appearing for the petitioner submits



that petitioner is innocent and has falsely been implicated in the case. Petitioner is maternal uncle of the husband of deceased. It is submitted that petitioner has no concern with the family affairs of the deceased and her husband. The husband of deceased, Prawej Alam @ Prawej Alam, and other family members of husband of deceased have already been granted bail by a co-ordinate Bench of this court vide order dated 21.08.2020 passed in Cr. Misc. No. 16044/2020 and in Cr. Misc. 14271/ 2020. Petitioner is in custody since 10.01.2021 and investigation in this case is complete.

Learned counsel appearing for the State opposes the prayer for bail.

Considering the facts of the case and the period of custody of the petitioner, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Gopalganj in connection with Manjhagarh PS case No. 251/ 2018 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 cancelled 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)

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