

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4529 of 2021

Arising Out of PS. Case No.-448 Year-2020 Thana- MAJHAULIA District- West Champaran

Meraj Alam aged about 22 years, Male S/o Islam Miyan, Resident of Village- Banuchhapar ward no.10 PS Bettiah (M) Banuchhapar O.P. District West Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opp Party

Appearance :

For the Petitioner/s :	Mr. Sanjeev Kumar, Advocate
For the Opposite Party/s :	Ms. Anita Kumari Singh APP
For the informant :	Mr. Bimlesh Kumar Pandey, Advocate

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 01-07-2021 In view of the sudden resurgence of Covid-19 infection, there is limited functioning of the High Court and, therefore, the matter has been listed today for consideration through virtual mode.

2. Learned counsel for the petitioner is expected to honour his undertaking given in the instant case for depositing the requisite court fee and to remove the defects as pointed out by office when called upon to do so by the office.

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

4. The petitioner seeks bail in Majhulia P. S. Case No. 448 of 2020, instituted for the offence under Sections 302/120B/34 of the Indian Penal Code.

5. For paying some money to the land owners, the informant's son has left his home. His dead body has been found with several stab injuries near the bank of a canal. The allegation in the FIR is that the murder has been committed in



connection with the offence of sale purchase of land which was being carried on by the informant's son.

6. The petitioner's counsel submits that the petitioner is alleged to be the driver of one of the vehicle used in the alleged occurrence by the accused persons. He has no concern with the parties who were having dispute based on real estate business. The submission is that his vehicle was forcibly captured by the accused persons and the petitioner had no option but, to offer his services as a driver. The petitioner is also having no criminal antecedents and similarly situated co-accused persons, namely, Sanwar Khan has been allowed bail in Cr. Misc. No. 1864 of 2021. The petitioner is in custody since 30.06.2020.

7. The learned counsel for the informant and learned APP representing the State have appeared and opposed the prayer for bail. It is submitted that the FIR discloses a pre-planned murder. The petitioner was driver of the vehicle used in the alleged occurrence.

8. Considering the rival submissions, 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 the **learned CJM Bettiah, West Champaran**, in connection **with Majhulia P.S. Case No. 448 of 2020**, subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail



bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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