

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10913 of 2022

Arising Out of PS. Case No.-233 Year-2021 Thana- JOGAPATTI District- West Champaran

Jahangir Alam @ Jahagir Alam son of Late Jalil Miyan Resident of Village -
Rampurwa, P.S. - Yogapatti, District - West Champaran, Betiya (Belliah).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashutosh Kumar, Advocate
For the State : Mr. Harendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 28-11-2022 Heard learned counsel appearing on behalf of the
petitioner and learned APP appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Yogapatti
P.S. Case No. 233 of 2021 registered for the offence under
Sections 302 and 34 of the Indian Penal Code.

The accused/petitioner is not named in the F.I.R. and
is in custody since 30.06.2021.

At the outset, learned counsel for the petitioner
submitted that petitioner was the informant of this case, where it
has been alleged that named accused persons committed the
murder of his daughter, aged about 6 years, but subsequently,
during the course of investigation, informant himself implicated



as sole accused in this case, where he is in custody since 30.06.2021.

Learned counsel appearing on behalf of the petitioner submitted that petitioner has been falsely implicated in this case due to family property dispute. It is submitted that the police personnel, in connivance with the named accused persons, merely on the basis of suspicion and self confession, implicated this petitioner, who is otherwise informant of the present case. It is submitted that, merely, on the basis of last seen story, petitioner has been implicated in this case, where nothing surfaced during the course of investigation, which may incriminate this petitioner with the present implication. While concluding the argument, it is submitted that petitioner is a man of clean antecedent and, moreover, investigation in this case is complete for which chargesheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State, while opposing the prayer of bail, fairly conceded the fact that petitioner is the informant of this case.

In view of the facts and circumstances, as mentioned above, as petitioner is the informant of this case and implicated, merely, on the basis of self confession, where nothing surfaced



during the course of investigation to connect this petitioner, *prima facie*, with the present allegation coupled with the fact that chargesheet has been submitted, let the petitioner, above named, is directed to be released on bail in connection with Yogapatti P.S. Case No. 233 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bettiah, West Champaran/concerned Court, subject to the conditions as laid down u/s 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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