

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36391 of 2021

Arising Out of PS. Case No.-729 Year-2020 Thana- MAJHAULIA District- West Champaran

ISRAFIL SAH @ ISRAFIL DEWAN SON OF MUSLIM SAH @ MUSLIM
DEWAN R/O VILLAGE- JAUKATIYA, NAI DIH BAZAR, P.S.-
MAJHAULIA, DISTRICT- WEST CHAMPARAN.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar, Adv.
Mr. Sanjay Kumar No 7, adv.
For the Opposite Party/s : Mr. Bharat Lal, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 31-03-2022 Heard Mr. Sanjeev Kumar, learned counsel for the

petitioner and Mr. Bharat Lal, learned Additional Public

Prosecutor for the State.

Petitioner seeks regular bail in connection with

Manjhauriya PS Case No. 729/2020 registered for the offence

punishable under Sections 302, 201/34 of the IPC.

The informant has alleged that her second husband

i.e., the petitioner took her son from the first husband along with

him on 29.10.2020 and after two days, the dead body of her son

was found having injury marks.

Learned counsel for the petitioner submits that the

petitioner has falsely been implicated in this case only on the

basis of suspicion and during course of investigation the

witnesses have stated that in normal course and on various

occasions the step-son of the petitioner used to accompany him

on his motorcycle. He further submits that the dead body was

recovered after two days from the date on which the petitioner



had allegedly taken his step-son along with him and there is no proximity of time between the date when the deceased had accompanied the petitioner and recovery of the dead body. It is next submitted that petitioner having no criminal antecedent is in custody since 25.11.2020.

Regards being had to the submissions made by the parties and taking into consideration the fact that during course of investigation the witnesses have stated that the step-son of the petitioner usually accompanied him on his motorcycle and the petitioner has been made accused on the basis of suspicion only, the charge-sheet has been submitted, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, ISRAFIL SAH @ ISRAFIL DEWAN be released on bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bettiah, West Champaran in connection with Manjhauliya PS Case No. 729/2020.

(Anil Kumar Sinha, J)

perwez

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

