

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27142 of 2022

Arising Out of PS. Case No.-21 Year-2021 Thana- BARSOI District- Katihar

MD. OLI Son of Md. Achalu Resident of Village - Paharpur, P.s.- Barsoi,
Distt.- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar Singh

For the Opposite Party/s : Mr.Parmanand Kumar

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 01-09-2022 Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned APP for the State.

The petitioner has preferred this application for grant of regular bail in a case registered u/s 302, 120B read with 34 of the Indian Penal Code.

As per the prosecution case, there was love affair between the daughter of informant, namely, Sohagi Khatoon and co-accused Md. Salam and due to this reason, she became pregnant. Thereafter, at the instance of the petitioner Md. Oli, the daughter of the informant was handed over to the petitioner



and Md. Salam by the sister-in-law of the informant. Thereafter the informant learnt that his daughter was killed and when he went to the place of occurrence, he found his daughter's body lying in the wheat field with a yellow plastic rope around her neck.

Learned counsel for the petitioner has submitted that the petitioner is innocent and he has falsely been implicated in this case. Learned counsel for the petitioner has further submitted that there was no love affair between the petitioner and the deceased rather the deceased had love affair with the co-accused, Md. Salam. The petitioner has no criminal antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 09.03.2021. Learned counsel for the petitioner has further submitted that the trial is going on and four witnesses have been examined by the prosecution party.

Learned A.P.P. for the State has opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances as well as the period of detention, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court below



concerned in connection with Barsoi P.S. Case No. 21 of 2021 arising out of S.T. No. 186 of 2021, with following conditions :-

1. One of the bailors shall be a close relative of the petitioner who shall give genealogy as to how he is related to the petitioner.

2. The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled by the concerned Court.

The application stands allowed.

(Chandra Prakash Singh, J)

sanjeev/-

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