

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14610 of 2022

Arising Out of PS. Case No.-34 Year-2021 Thana- TANDWA District- Aurangabad

DOMAN BHUIYAN Son of Ramnandan Bhuiya Resident of Village - Khasua
Bela, P.S.- Tandwan, District - Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar Pandey, Advocate.

For the Opposite Party/s : Mr. Choubey Jawahar, APP.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 06-07-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Tandwa P.S. Case No. 34 of 2021 lodged under Sections 364,
302 and 201/34 of the Indian Penal Code.

As per the prosecution case, the allegation made in the
F.I.R. that the deceased is son of the informant. He and the
nephew of petitioner were in love and used to talk with each
other, when this affair come to the knowledge he warned other
party and persuaded the nephew of the petitioner not to talk to
son of the informant, subsequently it has been alleged that son
of the informant was kidnapped and subsequently his dead body
was recovered in nearby Pahari. On the basis of which an F.I.R.
has been lodged in which 8 persons were made accused
including the entire Bhuian family and the girl Sangeeta Kumari
with whom the son of the deceased was in love.

Learned counsel for the petitioner submits that the

entire F.I.R. has been filed on the basis of suspicion only, there is no cogent material against the petitioner. He further submits that the present petitioner is the uncle of Sangeeta and only due to this reason, his name was figured in this case. He also submits that it is a case of no evidence and there is no eyewitness. petitioner is in custody since 24.05.2021, charge sheet has already been filed and petitioner has got clean antecedent.

Learned counsel for the State opposes the prayer for bail and submits that it is a case of kidnapping with murder.

Considering the facts and circumstances of this case that the entire case has been lodged on the basis of suspicion and also considering his period of custody, charge sheet has already been filed and petitioner having no criminal antecedent, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Aurangabad in connection with Tandwa P.S. Case No. 34 of 2021, subject to the conditions as laid down under Section 437(3) of Cr.P.C.

(Dr. Anshuman, J.)

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