

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.58685 of 2021**

Arising Out of PS. Case No.-47 Year-2020 Thana- CHOUTARWA District- West Champaran

Bhola Mian Son of Late Einuddin Mian @ Einuddin Ansari, R/o Village-  
Kolhua, P.S.- Chautarwa, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Adv.

For the Opposite Party/s : Mr. Anand Mohan Prasad Mehta, APP.

**CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN**  
**ORAL ORDER**

3      28-09-2022                      Let the defect(s), if any, be removed within two weeks  
from today.

Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

The petitioner seeks regular bail in connection with  
Chautarva P.S. Case No. 47 of 2020, lodged under Sections 302,  
120B of the Indian Penal Code.

As per the prosecution case, the only allegation  
against the present petitioner is that he was seen at a nearby  
place from the place of occurrence where the dead body of the  
son-in-law of informant was hanging on a tree.

Learned counsel for the petitioner submits that  
petitioner is innocent and has committed no offence. He further  
submits that petitioner was working in a brick kiln as a tractor  
driver whereas the deceased and his wife were working as

labour in the said kiln. Learned counsel for the petitioner further submits that antecedent of petitioner is clean and he is in custody since 25.02.2020 only and only on the basis of suspicion in this case. There is no eye witness of the case, nor any cogent material has come in the case diary, save and except the confessional statement of wife of deceased.

Upon specific query that whether charge has been framed or not, learned counsel for the petitioner submits that charge has already been framed.

Learned counsel for the State opposes the prayer for bail and submits that there is strong suspicion, and circumstances indicates that such offence has been committed by the present petitioner.

In the present facts and circumstances of this case and the submissions made above, I am not inclined to grant bail to the petitioner at present, but he may renew his prayer for bail after lapse of one year from the date of passing of this order.

With this observation, the bail application stands rejected.

**(Dr. Anshuman, J.)**

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