

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59547 of 2021**

Arising Out of PS. Case No.-122 Year-2018 Thana- MAINATAND District- West Champaran

ABULAISH MIAN @ ABULAIS MIYAN Son of Late Sahebjan Mian @
Late Sabjan Miyan Resident of Village - Pipra Santpur, P.S.- Mainatand,
District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Binod Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

2 09-03-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in connection with S.Tr. No.
366 of 2021 arising out of Mainatand P.S. Case No. 122 of 2018
instituted for the offences under Section 363 of the Indian Penal
Code and later cognizance was taken for offences under Sections
364, 302, 120(B) and 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the
petitioner is in custody since 26.08.2021, is a person with clean
antecedent and charge-sheet has been submitted in the case.

Learned counsel for the petitioner submits that the
informant alleges that on 18.10.2018, his son had gone to watch
cultural programme but did not return nor was found despite
hectic search, accordingly F.I.R. against unknown was instituted.



Learned counsel for the petitioner submits that the F.I.R. was against unknown and the name of the petitioner transpired in the confessional statement of Raj Kumar Paswan who has been granted bail vide order dated 01.07.2019 passed in Cr. Misc. No. 38251 of 2019. Learned counsel thus submits that the co-accused on whose confessional statement name of the petitioner transpired has been granted bail as such the petitioner also deserves to be enlarged on regular bail.

Learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

Considering the fact that the petitioner is in custody, is a person with clean antecedent, charge-sheet has been submitted in the case and the co-accused on whose confessional statement name of the petitioner transpired has been granted bail, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned District and Sessions Judge-V, Bettiah, West Champaran in connection with S.Tr. No. 366 of 2021 arising out of Mainatand P.S. Case No. 122 of 2018.

(Satyavrat Verma, J)

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