

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53606 of 2022

Arising Out of PS. Case No.-103 Year-2022 Thana- CHHAURADANO District- East
Champaran

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Ramjan Mian Son of Nurullah Mian @ Nurullah Alam Resident of Village -
Pipra, P.S.- Darpa (Wrongly typed in Impugned order as P.S. Pipra), District -
E. Champaran, Motihari

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anshu Dhar Sharma

For the Opposite Party/s : Mr. Satya Nand Shukla

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 23-12-2022 Today being Friday, matters are being taken up through
virtual mode, as per current procedure for hearing.

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

This Court would expect that the petitioner's counsel
would honour his undertaking in the instant proceedings
regarding supply of requisite court fee etc. within two weeks
from the date he is called upon to do so by the office.

Petitioner seeks bail in connection with Chhaura Dano
P.S. Case No. 103 of 2022, registered under Sections 147, 148,
149, 302, 120B of the Indian Penal Code and Section 27 of
Arms Act.

The informant has alleged that unknown persons have



arrived at *Matar Chowk*, where she was sitting along with her husband and fired upon them. Her husband has succumbed to the injury while on the way to the hospital.

Learned counsel for the petitioner submits that the informant, who as per the F.I.R. itself, was a public representative (political person), has named 17 persons with whom she was having political rivalry or land dispute and alleged that they have got her husband killed by hiring professional killer.

Learned counsel for the petitioner submits that from the F.I.R. itself, it is evident that on a wild suspicion all 17 persons with whom the informant and victim were having any kind of political or land dispute, have been named. Petitioner has no criminal antecedents. It is submitted that the 3 antecedents attributed against the petitioner, are in fact cases in which the petitioner's father has been made accused. The petitioner has remained in custody since 17.04.2022.

Learned APP has opposed the prayer for bail. It is submitted that petitioner is a named accused.

Considering the rival submissions, the manner of implication of the petitioner as also period of custody, and the fact that charge-sheet has been submitted, this Court is inclined



to allow the prayer for bail.

Let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Raxaul, East Champaran in Chhaura Dano P.S. Case No. 103 of 2022, subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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