

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34720 of 2023

Arising Out of PS. Case No.-287 Year-2021 Thana- DURAULI District- Siwan

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JAWED KHAN @ BITU KHAN @ BITTU KHAN S/O MOHAMMAD
ISLAM KHAN R/O Village-Harnatar, P.S.-Darauli, Dist-Siwan

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajay Kumar Tiwary

For the Opposite Party/s : Mr.Ram Priya Sharan Singh

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 26-06-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case
instituted for the offence under Sections 302, 201 and 34 of the
Indian Penal Code and Section 27 of the Arms Act.

As per prosecution case, informant was sitting at his
house along with whole family members and his son was going
to his *Sasural*. In the meantime, the villagers informed that
some unknown miscreants killed the son of the informant by
firing and dead body was thrown in western side of Mura river.



It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case due to dirty village politics. He has committed no offence. Petitioner is not named in the FIR and the same has been lodged against unknown person. The name of the petitioner has come into light, on the basis of confessional statement of co-accused Sarita Devi, which has got no evidentiary value in the eyes of law. On the basis of suspicion, the petitioner has implicated in the present case. He further submitted that the other co-accused has already been granted bail by a Co-ordinate Bench vide order dated 14.02.2023 passed in Cr. Misc. No. 55979 of 2022. Petitioner has got no criminal antecedent as stated in para-3 of the bail petition. He is languishing in judicial custody since 13.03.2023.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned 1st



Class Judicial Magistrate, Siwan in connection with Darauli P.S.
Case No. 287 of 2021.

(Sunil Kumar Panwar, J)

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