

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79934 of 2023

Arising Out of PS. Case No.-196 Year-2022 Thana- RAMNAGAR District- West Champaran

1. SAYISTA KHAN @ SHAISTA KHAN SON OF LATE KAMALUDDIN KHAN RESIDENT OF VILLAGE- DANMARAWA, PS- RAM NAGAR, DIST- WEST CHAMPARAN
2. NADIR KHAN @ CHUNNU KHAN SON OF LATE KAMALUDDIN KHAN RESIDENT OF VILLAGE- DANMARAWA, PS- RAM NAGAR, DIST- WEST CHAMPARAN
3. SHAHANVAJ KHAN @ SHAHNAZ KHAN SON OF LATE KAMALUDDIN KHAN RESIDENT OF VILLAGE- DANMARAWA, PS- RAM NAGAR, DIST- WEST CHAMPARAN
4. SADAM HUSSAIN @ SADDAM HUSSAIN SON OF SAYISTA KHAN RESIDENT OF VILLAGE- DANMARAWA, PS- RAM NAGAR, DIST- WEST CHAMPARAN
5. CHHOTE KHAN SON OF NAMAYU KHAN @ HUMAYU KHAN RESIDENT OF VILLAGE- DANMARAWA, PS- RAM NAGAR, DIST- WEST CHAMPARAN

... .. PETITIONER/S

VERSUS

THE STATE OF BIHAR

... .. OPPOSITE PARTY/S

Appearance :

For the Petitioner/s : Mr. Milind Kumar Mishra, Advocate
For the Opposite Party/s : Mr. Kumar Veerendra Narayan, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 10-01-2024 Heard learned counsel for the petitioners and

the State.

2. Petitioners apprehend their arrest in a case

registered for the offence punishable under sections 302,



201 and 34 of the Indian Penal Code.

3. Prosecution case, in brief, is that on the basis of the fardbeyan of the informant, namely Saista Khan, is that on May 6, 2022, at about 4:00 pm, his son Ruman Khan went to a hotel nearby his house where all the accused persons named in the FIR, including these petitioners, were already present in the hotel and took out his son, Ruman Khan, somewhere from the hotel. On the same day at 7:00 pm, when Ruman Khan did not return home, the informant and his family members searched him, and on May 7, 2022, at 5:30 am, they found his dead body hanging from a mango tree. There was an injury on the body of the deceased, and there was also a soil stain on his shirt. One slipper of the deceased was recovered at a distance of about 40 feet from the place where the dead body of the deceased was hanging. At a distance of about 200 meters, one pair of green slippers were found. It has further been alleged that green slippers belonged to Asgar Khan, as identified by the informant and his family members, who are co-villagers of the informant. One



mango containing a blood stain was also found nearby the place of occurrence. It has been further submitted that, due to the land dispute, all the accused persons have committed the murder of the deceased.

4. It is submitted on behalf of the petitioners that petitioner No. 1 is the informant of the alleged occurrence, and petitioner Nos. 2, 3, 4, and 5 are the family members of petitioner No. 1. It is further submitted that after the lapse of one year, these petitioners have falsely been implicated in this case by the I.O. of the case during the course of investigation, merely on the basis of suspicion. Petitioners claim clean antecedent.

5. Learned counsel for the State oppose the bail petition.

6. Considering the aforesaid facts and circumstances of the case, in the event of arrest or surrender within six weeks from today, let the petitioners, as named above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of the learned



SDJM, Bagaha , West Champaran in connection with
Ramnagar P.S. Case No. 196 of 2022 , subject to the
conditions laid down under section 438(2) of the Code of
Criminal Procedure.

(Prabhat Kumar Singh, J)

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