

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8771 of 2025

Arising Out of PS. Case No.-387 Year-2023 Thana- MADANPUR District- Aurangabad

Antu Bhuiyan, aged about 46 years, Male, Son of Late Sohrai Bhuiyan,
Resident of Village- Chand Bigha, P.S.- Madanpur, District- Aurangabad
(Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aman Vishal, Advocate

For the Opposite Party/s : Mr. Ram Sumiran Rai, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 14-02-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Madanpur P.S. Case No. 387 of 2023 instituted for the offences
punishable under Sections 302/201/34 of the Indian Penal Code.

3. As per the prosecution case, the brother of the
informant died in his in-laws house.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence and has
falsely been implicated in this case. Petitioner has got clean
antecedent as stated in para 3 of the petition is in custody since
28.08.2024.

5. Learned APP opposes the prayer for bail.



6. From perusal of the FIR, and impugned order dated 04.12.2024 passed by the learned Additional District and Sessions Judge-II, Aurangabad, it appears that on the basis of written report of Bachu Kumar brother of the deceased (Mithilesh Bhuiyan) registered an FIR under Sections 302, 201/34 of the Indian Penal Code. Perusal of the FIR, it appears that the informant is not an eye witness and the name of the petitioner surfaced on the basis of suspicion. Similarly situated co-accused persons namely Awadh Bhuiyan, Rina Devi, Baban Bhuiyan and Malik Bhuiyan @ Raushan Kumar have been granted bail by this Court and a Co-ordinate Bench of this Court in Cr. Misc. Nos. 21028 of 2024, 6429 of 2024 and 86186 of 2023 vide order dated 19.04.2024, 16.02.2024 and 11.01.2024, respectively, 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 the learned Additional Chief Judicial Magistrate-III, Aurangabad in connection with Madanpur P.S. Case No. 387 of 2023.

(Ramesh Chand Malviya, J)

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