

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61415 of 2024

Arising Out of PS. Case No.-112 Year-2024 Thana- LAURIA District- West Champaran

1. Yusuf Mian S/O Nesar Mian Resident of village- sabeya Deoraj, P.S-
Ramnagar, District- West Champaran.
2. Khalid Mian S/O Nesar Mian Resident of village- sabeya Deoraj, P.S-
Ramnagar, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Umesh Chandra Verma, Advocate
	:	Mr. Hemant Ray, Advocate
For the State	:	Mr. Shyameshwar Dayal, APP
For the Informant	:	Mr. Raghwendra Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 18-01-2025 Heard Mr. Umesh Chandra Verma, learned counsel
for the petitioners, Mr. Raghwendra Kumar, learned counsel for
the informant and Mr. Shyameshwar Dayal, learned Additional
Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in
connection with Lauriya P.S. Case No. 112 of 2024, F.I.R. dated
14.04.2024 for the offences punishable under Sections 109, 364,
302, 120-B, 201/34 of the Indian Penal Code.

3. According to prosecution case, one Azad Mian
with the help of the petitioners has committed the murder of
Abu Mian and threw his dead body in the river.

4. Learned counsel for the petitioners submits that



petitioners have clean antecedent and they have falsely been implicated in the present case. He further submits that the allegation as alleged in the FIR is false and fabricated and the petitioners have not committed any offence as alleged in the FIR. He further submits that the petitioners have been made accused merely on the ground that one Azad Mian has given a statement that the petitioners are involved in the present crime in question. He further submits that except the aforesaid nothing has come during the investigation to suggest the involvement of the petitioners in the present occurrence.

5. Learned counsel for the informant as well as learned Additional Public Prosecutor, on the other hand, have vehemently opposed the prayer for bail of the petitioners and submits that in paragraph no.7, 8 & 9 of the case diary it has come that the petitioners are involved in the present crime in question but fairly submits that no one has seen the present crime in question and merely on the basis of the statement of the Azad Mian the petitioners have been implicated in the present case.

6. Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of arrest or surrender before the court below within a period of thirty days



from the date of receipt of the order, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-I, Bettiah, West Champaran in connection with Lauriya P.S. Case No. 112 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/ Section 482(2) of the B.N.S.S., 2023 and with other following conditions:-

i. Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bonds of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order



shall not be delayed for purpose of or in the name of
verification.

(Rajesh Kumar Verma, J)

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