

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22912 of 2015

Arising Out of PS.Case No. -350 Year- 2009 Thana -MADHEPURA District- MADHEPURA

1. Md. Yunus Son of Late Zakir Uddin
2. Md. Saud, S/o Md. Abid
Both are Resident of Village- Mahesua, P.S. Madhepura (Bharrahi O.P.),
District- Madhepura.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance:

For the Petitioner/s : Mr. Bam Bahadur Jha, Advocate.
For the Opposite Party/s : Mr. B.N. Pandey, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 18-09-2015 Heard both sides.

The petitioners, namely, Md. Yunus and Md. Saud,
seek bail in a case under Section 302 and other sections of the
Indian Penal Code.

Petitioner no. 1, Md. Yunus, is the father of the
deceased Musharat Pravin and petitioner no. 2, Md. Saud, is a
distantly related uncle of the deceased. It is alleged that Musharat
Pravin was in love with Md. Irshad. It is alleged that the father and
other family members of Musharat Pravin killed her and threw her
dead body in a canal. It is submitted that there is no eye-witness of
the occurrence. The witnesses are hearsay witnesses.

Considering the facts that the petitioner no. 1 Md.
Yunus is the father of the deceased, he was not liking the love

affairs of his daughter with anybody, the dead body of the deceased was thrown in a canal and the post-mortem report shows that the deceased was throttled to death, I am not inclined to enlarge the above named petitioner no. 1 on bail in Madhepura P.S. Case No. 350/09 corresponding to G.R. No. 1396/09. Accordingly, the same is rejected.

So far as the case of petitioner no. 2, Md. Saud, is concerned, considering the fact that the petitioner no. 2 is a distantly related uncle of the deceased and there appears no substantial material against the petitioner no. 2, the above named petitioner no. 2 is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Madhepura in Madhepura P.S. Case No. 350 of 2009, corresponding to G.R. No. 1396/09.

The trial court is directed to expedite the trial and conclude the same within nine months from the date of receipt / production of this order.

(Prabhat Kumar Jha, J)

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