

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32605 of 2014

Arising Out of PS.Case No. -116 Year- 2013 Thana -KODHA District- KATIHAR

1. Md. Jamshed @ Jamshed @ Jamshed Alam S/O- Sirajuddin R/O Haji
Mehrullah Tola, P.S. Korha, District- Katihar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh

For the Opposite Party/s : Mr. R.P.S. Singh (App)

**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**
ORAL ORDER

3 19-03-2015 Heard learned counsels for the petitioner and
the State.

The petitioner is apprehending arrest in a case
registered for the offences punishable under Sections
147,148,149 and 302 of the Indian Penal Code.

It is alleged that the husband of the informant
was called by this petitioner for making payment of
Rupees one lac when he was killed. Subsequently, the
dead body of the informant's husband was recovered.

It is submitted by the learned counsel for the
petitioner that only on suspicion the accusation has been
levelled.

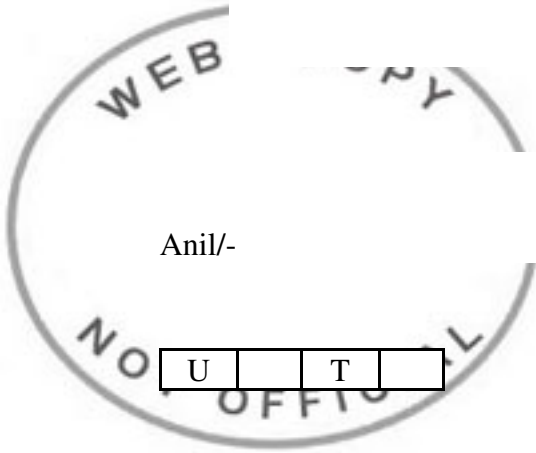
It is submitted by the learned APP that during

investigation, it transpired that the victim was being assaulted by Firoz alias Kalu alias Md. Kalu though the petitioner was also present there as suggested by Asifa Khatoon, Samdhin of the victim but her statement was recorded after a month of the occurrence.

It is submitted by learned counsel for the petitioner that there was no occasion for Asifa Khatoon not to disclose this fact to the informant on the alleged date of occurrence. More over, even as per statement of witness Asifa Khatoon, the petitioner did not assault the victim and Firoz alias Kalu alias Md. Kalu has been granted anticipatory bail vide Cr. Misc. No. 52194 of 2013. Statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent.

Considering the aforesaid facts, let the above named petitioner be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Katihar in connection with Korha P.S. Case No. 116 of 2013 subject to the conditions as laid

down under Section 438(2) Cr.P.C.



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(Dinesh Kumar Singh, J)