

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26497 of 2015

Arising Out of PS.Case No. -592 Year- 2014 Thana -RUNISAIDPUR District- SITAMARHI

- =====
1. Taslim Nadaf @ Md. Taslim Nadaf S/o Late Md. Yasin
 2. Pirmohammed S/o Taslim Nadaf
 3. Nisarul Nadaf S/o Late Aziz Nadaf All residents of Village - Barheta, Noonia Tola, P.S. - Runnisadipur, District - Sitamarhi.
 4. Taiyab Nadaf @ Md. Taiyab S/o Murtuza Mansoori
 5. Shahjaha Khatoon W/o Taiyab NAdaf Both residents of Village - Piprahi, PS - Sitamarhi, District - Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ashhar Mustafa

For the Opposite Party/s : Mr. Anil Kr. Singh(App)

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 02-07-2015 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 302 and 201/34 of the Indian Penal Code.

It is alleged that the brother of the informant left the house on 24.12.2014 at 9 P.M. after taking meal while talking on mobile phone. On 25.12.2014 at 8.30 A.M. the informant came to know through co villagers that his brother has been killed by unknown criminals. The dead body was found in a field adjacent to the road. It was suspected that the victim was talking before leaving his house to Shahjahan Khatoon. Petitioner nos. 1 to 4 are

father, brother and brothers in law of Shahjahan Khatoon whereas petitioner no. 5 is Shahjahan Khatoon hence the informant suspected that his brother namely Md. Kaishar alias Pyare was killed by Shahjahan Khatoon and her family members.

It is submitted by the learned counsel for the petitioners that only on suspicion the accusation has been levelled. Admittedly, the informant is not the eye witness to the occurrence. There is nothing on record that the petitioner Shahjahan Khatoon has some illicit relationship with the victim.

It is submitted by learned counsel for the informant that the witnesses have suggested that petitioner Shahjahan called the victim in the previous night of the alleged occurrence stating that he was being called by petitioner Pirmohammed.

Considering the suspicious nature of accusation and Statement made in paragraph 3 of the petition that the petitioners have no criminal antecedent, let the above named petitioner nos. 1 to 4 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) each with two sureties of the like amount each to the satisfaction of learned CJM, Sitamarhi in connection with Runisaidpur P.S. Case No. 592 of 2014 subject to the conditions

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

So far as petitioner no. 5 is concerned, let her be released on anticipatory bail till conclusion of investigation 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, Sitamarhi in connection with the aforementioned case subject to the conditions as laid down under Section 438(2) Cr.P.C.

The bail bonds of the petitioners will be accepted on filing of an affidavit by the petitioners before the learned court below that they will regularly cooperate in the investigation. The said affidavit will be transmitted by the learned court below to the concerned I.O. Non cooperation in investigation by the petitioners will give liberty to learned court below to cancel the bail bonds of the petitioners.

(Dinesh Kumar Singh, J)

Anil/-

U		T	
---	--	---	--

