

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.52881 of 2015

Arising out of PS. Case No. -35 Year- 2015 Thana -AURAI District- MUZAFFARPUR

=====

Md. Dulare son of Md. Kalam, resident of Village-Aurai, P.S.-Aurai,
District - Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance:

For the Petitioner/s : Mr. Alok Kumar Alok, Advocate

For the Opposite Party/s : Mr. Ajay Kumar 1 (APP)

=====

CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

2 14-12-2015

Heard the parties.

The petitioner apprehends his arrest in connection
with Sessions Trial No. 426 of 2015 arising from Aurai P.S.
Case No. 35 of 2015 for the offences punishable under sections
365, 302, 201/34 of the Indian Penal Code.

The allegation against the accused persons is of
committing the murder of son-in-law of the informant.

Mr. Alok Kumar Alok, learned counsel appearing for
the petitioner with reference to the FIR present at Annexure-1
submits that it is only applying the conspiracy theory that the
petitioner has been involved without any specific allegation
against him. He submits that during the course of investigation it
has transpired that the car of the petitioner was used in the
occurrence but the fact is that this petitioner owns no car.

The informant has appeared through counsel Mr.

Manish Kumar No. 3 and who while agreeing that no specific allegation has been made in the FIR submits that there was money dispute in between the father of this petitioner and the deceased and it is in settlement thereof that he had gone to the registry office. He further submits that although the learned counsel for the petitioner disowns the car used for the purpose but these are matters to be tested during trial. He however fairly admits that although the investigation as against the others is complete but is continuing against the petitioner.

Having heard learned counsel for the parties and considering the circumstances discussed above, let the petitioner, namely, Md. Dulare in the event of his arrest or surrender within four weeks from today 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 Sessions Judge, Muzaffarpur and/or the court concerned in connection with Sessions Trial No. 426 of 2015 arising from Aurai P.S. Case No. 35 of 2015 subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure.

S.Sb/-

(Jyoti Saran, J)

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