

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29636 of 2015

Arising Out of PS.Case No. -9 Year- 2015 Thana -SARAIYA District- MUZAFFARPUR

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Md. Wasi Ahmad @ Wasi Ahmad S/o- Md. Ibrahim, resident of village-
Azizpur, P.S.- Saraia, District- Muzaffarpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Shri Prakash Srivastava

For the Opposite Party/s : Mr. M.K. Khare(APP)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

4 13-10-2015 Learned counsel for the petitioner is permitted to correct

the name of the deceased appearing in paragraph-7 of the petition

in the course of the day.

Heard learned counsel for the petitioner and learned
counsels appearing on behalf of the informant and for the State.

The petitioner is apprehending his arrest in connection
with Saraia P.S.Case No. 9 of 2015 registered under Sections 363,
365, 354, 364, 302, 120B and 201 of the Indian Penal Code.

Case diary in the present case was earlier called for,
which has since been received.

Learned counsel for the petitioner submits that the
petitioner is not named in the FIR and his name has been brought
only because he is the father of Sadakat Ali @ Vikky. Learned



counsel further submits that the allegation is that the deceased Bhartendu Kumar was having love affairs with the daughter of the petitioner, sister of main accused, namely, Vikky. Though there is no specific allegation against the petitioner during the confessional statement of the said Vikky made before the police it has been stated that the petitioner along with the said Vikky throttled the son of the informant Bhartendu Kumar.

Learned counsel for the State after perusing the case diary submits save and except the confessional statement of Sadakat Ali @ Vikky there is no further cogent material against the petitioner so as to implicate him in the present case.

Learned counsel for the informant submits that the CDR details indicate that just prior to disappearance of the deceased the said Vikky had communicated with the deceased and therefore the involvement of this petitioner cannot be ruled out also.

Considering the aforementioned facts and circumstances and that the petitioner has no criminal antecedent, let the petitioner, above named, in the event of his arrest/surrender in the court below within a period of four weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each in connection with Saraia

P.S.Case No. 9 of 2015, corresponding to G.R.No. 68 of 2015, to the satisfaction of the Sub-Divisional Judicial Magistrate, Muzaffarpur, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjana Mishra, J)

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