

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34327 of 2014

Arising Out of PS.Case No. -98 Year- 2000 Thana -AJAMNAGAR District- KATIHAR

1. Md. Taiyab S/o Late Azimuddin Resident of Village Jigin, P.S. Kadwa,
Balua Belone, District Katihar.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Helal Ahmad

For the Opposite Party/s : Mr. Surendra Kumar(App)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 13-01-2015 Heard both sides.

The petitioner. Md. Tayab, seeks regular bail in connection with Azam Nagar P.S. Case No. 98 of 2000 for the offence registered under Section 302 and other allied sections of the Indian Penal Code.

The informant lodged a case against unknown for killing of his two brothers and sister-in-law (Bhavi)

It appears that the informant made his statement four times but the informant did not name the petitioner in his statement made thrice before the police. In his 4th statement the

informant named the petitioner and his statement was also recorded under Section 164 Cr.P.C. in which the informant disclosed the name of the petitioner alongwith other accused persons. Similarly situated co-accused namely, Kalu @ Manjoor and Salam have already been granted bail by a Bench of this Court vide order dated 24.09.2013 passed in Cr. Misc. No. 12672 of 2013. The case of the petitioner stands on similar footing.

Having considered the fact that the informant neither disclosed the name of the petitioner in the first information report nor in his subsequent statement recorded under Section 161 rather the informant disclosed the name of the petitioner in his fourth statement and thereafter in the statement under Section 164 Cr.P.C and similarly situated co-accused persons have been granted bail, petitioner above named is directed to be released 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 Chief Judicial Magistrate, Katihar in connection with Azam Nagar P.S. Case No. 98 of 2000.

(Prabhat Kumar Jha, J)

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