

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21936 of 2015

Arising Out of PS.Case No. -178 Year- 2013 Thana -BIBHUTIPUR District- SAMASTIPUR

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1. Md. Mustak. S/o Late Md. Jalaludin. Resident of Village - Desri, Police Station - Bibhutipur, District - Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhimanyu Sharma

For the Opposite Party/s : Mr. Vinod Shankar Modi (App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 08-09-2015

Heard both sides.

The petitioner seeks bail in a case registered for the offences punishable under sections 302, 120-B/34 of the Indian Penal Code.

Widow of the deceased alleged that her husband had gone to attend the marriage ceremony of the daughter of his Sarhu on 15.07.2013. Her husband did not return till 02.08.2013. Dead body of her husband was found in the orchard of Seesam tree of one Rajiv Ranjan @ Bauajee. The informant suspected that Md. Qaiyum might have killed her husband with the help of the petitioner on account of land dispute.

It is submitted that during the course of investigation, the I.O. did not collect any sort of evidence. In

paragraph 31 of the case diary, one witness said that the deceased left the marriage venue along with the petitioner on 16.07.2013 but after two weeks the dead body was recovered. No body disclosed this fact to either the informant or the police.

Considering the facts aforesaid, the petitioner above named is directed to be enlarged 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 learned Additional Chief Judicial Magistrate, Rosera at Samastipur in connection with Bibhutipur P.S. Case No. 178 of 2013.

(Prabhat Kumar Jha, J)

Amin/-

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