

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18287 of 2015

Arising Out of PS.Case No. -194 Year- 2014 Thana -TRIVENIGANJ District- SUPAUL

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1. Rashid Khan @ Md. Rashid Khan S/o Late Makul Khan
2. Mustaquim Khan @ Md. Mustaquim Khan S/o Rashid Khan
All are residents of village - Pahalwana, P.S. Tribeniganj, District - Supaul

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Vijay Kumar, Adv.

For the Opposite Party : Mr. A.M.P.Mehta, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE NAVANITI PRASAD SINGH
ORAL ORDER

2 11-06-2015 The petitioners apprehend their arrest in relation to Tribeniganj P.S. Case No. 194 of 2014/G.R. No. 1755 of 2014 registered under Sections 302/34 of the Indian Penal Code.

The allegation is that the two petitioners strangled the informant's wife to death. Learned counsel for the petitioners submits that petitioners and the informant are neighbours and they had been quarreling for sometime. She was suddenly hit by a cricket ball, as a result of which she fell down and became unconscious and taking advantage of this unfortunate situation, petitioners found named in the First Information Report. The attention was drawn towards the post mortem report, which does not support the allegation as made in the First Information Report

about the strangulation. The Doctor did not find any internal and external injury whatsoever and was unable to ascertain the cause of death.

Be that as it may, in the event of his arrest/surrender before the court below within four weeks from today, let the petitioners, namely, Rashid Khan alias Md. Rashid Khan and Mustaquim Khan alias Md. Mustaquim Khan be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand only) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Supaul in connection with Tribeniganj P.S. Case No. 194 of 2014/G.R. No. 1755 of 2014, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Navaniti Prasad Singh, J.)

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