

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31283 of 2014

Arising Out of PS.Case No. -62 Year- 2012 Thana -NIRMALI District- SUPAUL

1. Md. Kadir S/o Md. Tabeer Resident of Village- Manjhari, P.S.- Nirmali,
Dist. Supoul

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

with

Criminal Miscellaneous No.39919 of 2014

Arising Out of PS.Case No. -62 Year- 2012 Thana -NIRMALI District- SUPAUL

Md. Kari @ Md. Safique @ Safique, Son of Md. Purmud, Resident of
Manjhari, P.S. – Nirmali, District – Supoul.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

(In Cr.Misc. No.31283 of 2014)

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

For the Opposite Party/s : Mr. Narsing Tati(App)

(In Cr.Misc. No.39919 of 2014)

For the Petitioner/s : Mr. Shailendra Kumar Singh, Advocate.

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

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

3 13-01-2015

Heard both sides.

Since both the cases have arisen out of one occurrence,
they are being disposed of by this common order.

The petitioners seek bail in Nirmali P.S. Case No. 62 of
2012, registered for the offences punishable under Sections 302 and 34
of the Indian Penal Code. The father of the deceased made allegation
that Md. Kadir and Md. Kari @ Md. Safique @ Safique called his son

on 29.08.2012 and on 30.08.2012 the dead body of his son was found on N.H. 57.

Learned counsel for the petitioners submits that nobody has seen the deceased along with the petitioners. During course of investigation, the witnesses have stated that the deceased was trying to snatch money from the truck driver who assaulted him and consequently the son of the informant died. The deceased has got criminal antecedents.

Learned APP did not dispute the facts.

Having considered the facts that there is no eye witness of the occurrence and it has come during the course of investigation that the deceased himself tried to snatch money from the truck driver and he was assaulted consequently he died, the petitioners are directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Learned Sub-Divisional Judicial Magistrate/learned Chief Judicial Magistrate, Birpur (Supaul) in connection with Nirmali P.S. Case No. 62 of 2012.

(Prabhat Kumar Jha, J.)

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