

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24548 of 2015

Arising Out of PS.Case No. -52 Year- 2015 Thana -MAHISI District- SAHARSA

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Md. Rahamtullah @ Hurrah son of Moulana Usman Resident of Village -
Jalai, Puranwash, P.S. - Mahishi (Jalai O.P.), District - Saharsa.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

3 05-10-2015

Heard learned counsel for the petitioner/ and

learned counsel for the State.

Petitioner is accused in connection with Mahishi
P.S. Case No. 52 of 2015 registered under Sections 302/34 of the
I.P.C.

The allegation of informant is that on 09.04.2015
at 10.00 pm. two unknown persons came at her house and forcibly
opened the door and caught hold her husband and shot fired upon
which he died and on the same day. At about 1.30 am, both
persons had come at the shop of her husband and on the point of
pistol they took cash Rs. 1500/- along with gutka and cigarette
packets.

Learned counsel appearing on behalf of the petitioner
submits that the informant has not disclosed the name of anyone in
the F.I.R. One Md. Ajad, in paragraph no.30 of the case diary, has

stated that on the date of occurrence i.e. on 09.04.2015, the petitioner was seen in suspicious condition nearby the place of occurrence. Thereafter, the Police got recorded the confessional statement of this petitioner as detailed in paragraph no.44 of the case diary to the effect that during scuffle, the deceased Md. Mustaque @ Mushafir, took out knife from his waist and attacked to Md. Firoj at his head then he shot fired at Md. Mustaque causing injury at his chest. Except confessional statement, there is nothing against the petitioner. It is also submitted that petitioner is in custody since 14.04.2015.

Having considered the facts and circumstances of the case, let the above named petitioner 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 J.M. First Class, Saharsa in connection with Mahishi P.S. Case No. 52 of 2015.

(Rajendra Kumar Mishra, J.)

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