

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48712 of 2014

Arising Out of PS.Case No. -103 Year- 2013 Thana -BIHPUR District- BHAGALPUR

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1. MD. ZAFAR @ KIRI, son of Md. Jalaluddin.
 2. MD. KAMAR, son of Md. Jalaluddin.
 3. MD. SONU @ CHHOTU, son of Md. Jalaluddin.
 4. MD. KAUSHAR, son of Md. Nausherwa Adil.
- Residents of Kali Asthan, P.S. Bihpur, District – Bhagalpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Praveen Kumar, Advocate.
For the Opposite Party/s : Mr. Shyam Kumar Singh (APP)

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

2 03-03-2015 Heard learned counsel for the petitioners and the learned
A.P.P. for the State.

The petitioners seek bail in connection with Bihpur P.S.
Case No.103 of 2013 registered under Sections 302, 201 and
120-B of the Indian Penal Code.

The allegation of the informant, Md. Kasim, is that his
deceased daughter, namely, Noor Jahan alias Chhoti, was set on
fire by the petitioners and five others, named in the F.I.R., as
Sadia, the sister of the petitioner nos.1 to 3 moved with a boy.
Later on, the deceased Noor Jahan alias Chhoti died in course of
treatment in the hospital.

Learned counsel appearing on behalf of the petitioners submits that it would appear from the F.I.R. itself that regarding the occurrence of 11.04.2013, the present case was instituted on 16.04.2013 on the basis of the statement of the informant recorded on 13.04.2013, after three days. There is no eye witness to the occurrence and the petitioners have falsely been implicated in this case on mere suspicion. It is also submitted that the similarly situated co-accused, Md. Jalauddin alias Danu, the father of the petitioner nos.1 to 3 and relative of petitioner no.4, has been granted bail by a coordinate Bench of this Court vide order dated 20.03.2014 passed in Criminal Misc. No.38983 of 2013.

Having regard to the facts and the circumstances of the case, the petitioners, above named, are directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of A.C.J.M., Naugachia, District-Bhagalpur, in connection with Bihpur P.S. Case No.103 of 2013.

(Rajendra Kumar Mishra, J)

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