

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7743 of 2015

Arising Out of PS.Case No. -115 Year- 2013 Thana –POTHIYA (Paharkatta) District-
KISANGANJ

=====

1. Mumtaz @ Mumtaz Alam S/o- Kafiludin	
2. Asfaque S/O Pir Ali @ Peroli Resident of Bagalbari, P.S.- Paharkatta, District- Kishanganj	 Petitioners
Versus	
1. The State of Bihar	 Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Diwakar Sinha
For the Opposite Party/s : Mr. Ashraf Ansari(App)

=====

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 20-05-2015 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners apprehend their arrest in connection
with Pothia (Paharkatta) P.S. Case No. 115 of 2013 registered for
the offences punishable under Sections 302 & 201 of the Indian
Penal Code.

Learned counsel for the petitioners submits that the
allegation against the petitioners is merely on the basis of
suspicion.

Learned counsel for the State after perusal of the case



diary, has submitted that the mother Sukri Khatun, of deceased (Rubina Khatoon) has stated in Paragraph 19 and 110 of the case diary that her daughter had sold off some land and only a part of the said profits were given to her husband. It is submitted that it was on account of the fact that the present husband of Rubina Khatoon, had been wanting the money for his own that he had killed her daughter. Learned counsel for the petitioner submits that it is only because the petitioner was a friend of the said Mustakim that his name has appeared in the present case on the basis of mere suspicion.

Considering the aforementioned submissions and the materials in the case diary and also the fact that the petitioners have got no criminal antecedents, let the petitioners, in the event of their arrest or surrender before the court below within a period of three weeks' from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Chief judicial Magistrate, Kishanganj in connection with Pothia (Paharkatta) P.S. case No. 115 of 2013, subject to the conditions as laid down under Section 438(2) of the Cr.P.C..

(Anjana Mishra, J)

sushma/-

U			
---	--	--	--

