

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14733 of 2016

Arising Out of PS.Case No. -142 Year- 2015 Thana -PHULWARIA District- GOPALGANJ

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1. Nasrullah Mian @ Mohammad Nasarullah Mian S/o Late Baharan Mian
R/o village - Pandey Parsa, P.S. Fulwaria (Shripur O.P.), District –
Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raghwendra Pratap Singh

For the Opposite Party/s : Mr. L.K. Sharma (App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 08-04-2016 Heard learned counsel for the petitioner as well as

learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 363, 364, 365 of the Indian
Penal Code but later on, converted into Sections 302, 201,
120B/34 of the Indian Penal Code.

Petitioner is not named in the first information report
but in course of investigation when the confessional statement of
co-accused, Meraj Alam was recorded, the aforesaid co-accused
disclosed the name of petitioner and furthermore, the witnesses, in
course of investigation, stated that when informant and others had
gone to the house of co-accused, Meraj Alam to make enquiry

about the missing of deceased of the present case, petitioner misbehaved with them. However, the informant claimed that he lodged the present case after completion of his search but the informant did not mention the above stated facts which have been stated by the above stated witnesses. Petitioner is in jail custody since 25.10.2015 and investigation against him has already been completed. So far as the criminal antecedent of the petitioner is concerned, it has been mentioned in para-4 of the petition that earlier only one case had been lodged against the petitioner in the year 1998 but the petitioner has already been acquitted in the aforesaid case.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Gopalganj in connection with Fulwaria P.S. Case No. 142 of 2015.

(Hemant Kumar Srivastava, J)

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