

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2930 of 2016

Arising Out of PS.Case No. -293 Year- 2014 Thana -GAYA KOTWALI District- GAYA

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Md. Golden, Son of late Unush Miyan, Resident of Mohalla- Kashabtola,
Haridas Chatterjee Lane, P.S.- Civil Lines, District Gaya. Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sudha Chandra, Advocate
For the Opposite Party/s : Mr. Shailendra Kumar No.2, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 18-03-2016

Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is apprehending his arrest in
connection with Kotwali P.S. Case No. 293 of 2014 for the
offences instituted under Sections 364, 302, 201 and 120B of the
Indian Penal Code.

The prosecution story, in brief, is that the informant's
brother Md. Shahjad went missing on 23.05.2014 for which Sanha
was lodged with Gaya Kotwali Police Station. During search, the
informant got information that on 23.05.2014 at 9 A.M., the
informant's bother was seen along with co-accused Naushad
Mian. Subsequently, Md. Naushad, Rajesh Prasad and Sanjay
made confession that they killed the victim at the behest of the
petitioner.

It has been submitted by the petitioner that the petitioner has got no criminal antecedent. Petitioner has been made accused merely on the basis of suspicion. There is no circumstantial evidence to suggest his implication in the present case. The other co-accused namely, Md. Mehtab @ Mahtab and Md. Azad have been granted anticipatory bail by this Court vide order dated 25.06.2015 and 02.11.2015 passed in Criminal Miscellaneous No.14775 of 2015 and Criminal Miscellaneous No. 44203 of 2015.

On behalf of the State, it is submitted that the petitioner is named in the First Information Report.

Considering the aforesaid facts and circumstances, let the petitioners above-named, be released on bail in the event of their arrest or surrender before the learned court below within a period of six weeks from today in connection with Kotwali P.S. Case No. 293 of 2014 on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Gaya, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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