

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 34758 of 2016

Arising out of P.S. Case No. - 25 Year - 2016 Thana - FALKA District - KATIHAR

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Md. Kabir @ Kabir @ Kabo, aged about 67 years, s/o Late Sadique,
resident of village - Morsando, P.S. - Falka, Distt. - Katihar

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Pramod Kumar Mallick, Advocate

For the Opposite Party : Mr. Shyameshwar Dayal, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 17-10-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is languishing in custody since
10.03.2016 in connection with Falka P.S. Case No. 25 of 2016 for
the offences instituted under Sections 302/34 of the Indian Penal
Code.

The prosecution story, in brief, is that on 09.02.2016
at 06:30 a.m. the informant was given information by his friend
Tuntun Sah that his son Monu has been murdered and his dead
body is lying in front of the house of Dr. Sabir. On such
information, the informant rushed there and found the dead body
of his son, namely, Abhishek Kumar @ Monu, lying on the earth
in front of the house of Dr. Sabir. Further case is that on the
alleged date of occurrence at 07:00 a.m. the daughter of Dr. Sabir

called the son of the informant and since thereafter the son of the informant was out of his house, who was found lying dead in front of the house of Dr. Sabir, thus the informant was assured that the accused persons have killed his son pressing the neck.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 10.03.2016 and the charge sheet has been submitted in the present case. The petitioner has got no criminal antecedent. The petitioner is not named in the F.I.R. In the re-statement, the informant has named the petitioner. It is alleged that the petitioner was seen fleeing away from the place of occurrence.

On behalf of the State, it has been submitted that the petitioner is not named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (The Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-V, Katihar in connection with Falka P.S. Case No. 25 of 2016.

(Sudhir Singh, J)

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