

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40151 of 2016

Arising Out of PS.Case No. -72 Year- 2016 Thana -RAFIGANJ District- AURANGABAD

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1. Md. Khurshid, S/o Md. Ashik R/o Village- Bajua Bigaha, P.S.- Guraru
District- Gaya (Bihar).

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bachan Jee Ojha

For the Opposite Party/s : Mr. Sri Ashok Kumar Singh 1

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

4 19-11-2016 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered under
Sections-302/34 of the Indian Penal Code.

Petitioner is not named in the first informant report
but admittedly, none has seen the actual killing of the deceased
and the informant expressed his suspicion against the petitioner as
the petitioner had gone along with the deceased on the alleged date
of occurrence. In course of investigation, some witnesses claimed
that the deceased had illicit relation with daughter of the petitioner
and that was the reason, the petitioner committed murder of the
deceased. The petitioner was arrested in course of investigation
and allegedly, made his confessional statement before the police.

Submission on behalf of petitioner is that except suspicion, there is nothing against the petitioner and as a matter of fact, while the petitioner and the deceased were going by tempo, the tempo met with an accident, in which, the deceased sustained injuries resulting his death and the petitioner, too, sustained minor injuries.

Considering the above-said facts and circumstances of the case as well as submission of the parties and also, taking note of this fact that the investigation against the petitioner has already been completed, let the petitioner named above, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Rafiganj P.S. Case No. 72 of 2016 to the satisfaction of learned Chief Judicial Magistrate, Aurangabad.

(Hemant Kumar Srivastava, J)

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