

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13279 of 2016

Arising Out of PS.Case No. -81 Year- 2015 Thana -PARSAUNI District- SITAMARHI

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Md. Chhote @ Md. Chhote Alam Mansoori S/o Md. Kalam Mansoori, R/o
village Kalikapur, Piprahi, P.S. Riga, District- Sitamarhi

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Ashhar Mustafa, Advocate.

For the Opposite Party : Mr. Dasrath Mehta (APP)

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CORAM: HONOURABLE MR. JUSTICE GOPAL PRASAD
ORAL ORDER

2 01-04-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

This is a petition for grant of regular bail in a case
under Sections 302 and 120B/34 of the Indian Penal Code.

It is alleged that one Md. Abulaish called the husband
of the informant namely Hasim Mansoori on phone, on which her
husband went there. In the same night at 9.30 P.M. when the
informant tried to talk with her husband on phone, she did not talk
with him. On the next morning, the son of informant namely
Istehar Mansoori informed her that his father has been murdered at
village Dema.

It is submitted on behalf of the petitioner that the
petitioner has been implicated in the present case because of
previous land dispute between the parties. It is further submitted

that from perusal of F.I.R itself, it appears that the deceased was allegedly assaulted by co-accused Md. Abulais and 4-5 other unknown persons and the petitioner was not even present at the place of occurrence. Moreover, the main accused Md. Abulais has been granted bail by another Bench of this Court vide Cr. Misc. No. 48137 of 2015 dated 18.01.2016 and he is in custody since 09.02.2016.

From perusal of the impugned order itself it appears that the Court below has rejected the bail petition of the petitioner by referring different paragraphs of the case diary but has not quoted anything specific against the petitioner.

Hence, having regard to the facts and circumstances of the case, the petitioner above named is ordered to 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 the learned Chief Judicial Magistrate, Sitamarhi in connection with Parsauni P.S. Case No. 81 of 2015.

(Gopal Prasad, J.)

Amit/-

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