

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14220 of 2017

Arising Out of PS.Case No. -38 Year- 2016 Thana -KOTHIGRAM District- GAYA

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1. Laddan Khan Son of Noor Khan Resident of Village- Kothi, P.S.- Kothi,
District- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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with

Criminal Miscellaneous No.15194 of 2017

Arising Out of PS.Case No. -38 Year- 2016 Thana -KOTHIGRAM District- GAYA

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1. Md. Sajid @ Md. Sajid Eqteda @ Md. Eqteda, S/o Md. Hamid, R/o
village - Ahmadpur, P.S. Rafiganj, District - Aurangabad

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

(In Cr.Misc. No.14220 of 2017)

For the Petitioner/s : Mr. Ajay Kumar Sinha

For the Opposite Party/s : Mr. Smt. Asha Devi

(In Cr.Misc. No.15194 of 2017)

For the Petitioner/s : Mr. Shailesh Kumar

For the Opposite Party/s : Mr. Smt. Sahin Begam

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA

ORAL ORDER

3 03-05-2017 Heard learned counsel for the petitioners and the

learned A.P.P. for the State.

Both applications are related to Kothi P.S. Case No.
38/2016, registered under Sections 302/34/120(B) of the Indian
Penal Code. Therefore, both applications have been heard together
and are being disposed of by common order.

The accusation is that on receiving information about



killing of Md. Qayamuddin Ansari, Officer-in-charge of P.S. Kothi, who was on morning walk, the informant along with other police officials reached in village Halimchak and saw the dead body of the officer-in-charge Md. Qayamuddin Ansari, sustaining firearm injury on the fore head and chest. The villagers disclosed the physic of three culprits engaged in committing of murder of the officer-in-charge. On querying secretly, they disclosed the name of notorious Shane Ali Khan, his brother Shaukat Khan and their nephew Nashrat having hand in the murder of the officer-in-charge. It has also come in the light that Shane Ali used to reside in his *Sasural* in village Kothi at the house of his father-in-law Noor Khan and used to make plan for committing crime with his brother-in-law Laddan Khan & others.

Submission is that as per FIR the allegation of committing murder of the officer-in-charge is against notorious criminals Shane Ali Khan, his brother Shaukat Khan and their nephew Nashrat. The name of the petitioner Laddan Khan has surfaced in the case only because his brother-in-law Shane Ali used to reside in his *Sasural* in the house of petitioner Laddan Khan.

Further submission is that petitioner Md. Sajid @ Md. Sajid Eqteda @ Md. Eqteda is not named in the FIR. In course of



investigation name of petitioner Md. Sajid Eqteda has surfaced in the confessional statement of co-accused Shane Ali, who disclosed that he committed murder of the officer-in-charge with the help of Md. Shakil and Sonu Khan and after murder they reached at the house of the petitioner Md. Sajid, where they took dinner and parked the motorcycle and boarded on the train. Thereafter, motorcycle, which is said to be used in crime, recovered from there.

Further submission is that both the petitioners are in custody since 04.01.2017.

Having regard to the facts and the circumstances of the case, the petitioners Laddan Khan and Md. Sajid @ Md. Sajid Eqteda @ Md. Eqteda, above named, are directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Sherghati at Gaya in connection with Kothi P.S. Case No. 38 of 2016, **Out of two sureties, one surety must be the close relative of the petitioners.**

(Rajendra Kumar Mishra, J)

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