

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9945 of 2017

Arising Out of PS.Case No. -176 Year- 2014 Thana -POTHIYA District- KISANGANJ

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1. Matiur Rahman @ Matel, Son of Late Maqbool Hussain, Resident of
Village- Adhikari, P.S.- Paharkatta, District- Kishanganj.. Petitioner/s
Versus

1. The State of Bihar. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun Kumar

For the Opposite Party/s : Mr. Sri Rajesh Kumar

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

3 27-03-2017 Heard Sri Yogesh Chandra Verma, the learned senior

counsel for the petitioner, the learned Additional Public Prosecutor

and the learned counsel for the informant.

The petitioner seeks bail in Pothia (Paharkatta) P.S.
case No. 176 of 2014 under Section 302, 201/34 of the Indian
Penal Code.

The son of the deceased alleged that petitioner took
his mother to participate in a Panchayat for settlement of old
dispute. The informant also accompanied his mother but the
petitioner asked the informant to go to his house and the informant
returned to his house but his mother did not return. During the
course of search, dead body of his mother was found in a bamboo
bush and her throat was slit.

The learned senior counsel for the petitioner submits
that the informant named as many as 13 persons in the FIR but all



other accused persons, except the petitioner, have already been enlarged on either regular or anticipatory bail. The case of the petitioner stands on the same footing. It is further submitted that Panchayat was held on 28.07.2014 but the FIR was lodged on 31.07.2014. The mother of informant went to her house after Panchayat and, save and except suspicion, there is no material to show the involvement of the petitioner in the killing of mother of the informant.

The learned counsel for the informant as well as the learned Additional Public Prosecutor opposed the prayer for bail but could not be able to point out any incriminating material collected against the petitioner during the course of investigation.

Considering the facts aforesaid and the nature of allegation made against the petitioner, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Kishanganj in Pothia (Paharkatta) P.S. Case No. 176 of 2014.

(Prabhat Kumar Jha, J)

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