

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24127 of 2017

Arising Out of PS.Case No. -815 Year- 2016 Thana -MOTIHARI TOWN District-
EASTCHAMPARAN(MOTIHARI)

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1. Md. Reyazul Son of Kamu Khan, R/o Mohalla Nakachhed Tola, Ward
No.4, P.S.- Town Motihari, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Patanjali Rishi

For the Opposite Party/s : Mr. Sri Atul Chandra

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 12-07-2017

Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in Motihari Town P.S. Case
No. 815 of 2016 instituted for the offence under Sections-302,
201/34 of the Indian Penal Code.

It has been submitted on behalf of the petitioner that
mere suspicion has been raised against the petitioner. There is no
allegation of any overt act against the petitioner.

As per written report, the elder brother of the informant
came to house after being released from jail in connection with
theft case who told to informant that this petitioner on 19-12-2016
had taken LCD and five thousand rupees and did not return the
same. The elder brother of the informant went to the petitioner but
he did not return. It is further alleged that on 20-12-2016, co-



accused Sikandar Ram told that dead body of elder brother of the informant was lying in an under construction building and the informant identified the dead body and strangulation with Gamchha was found on the neck of deceased.

The C.D. has been received.

The learned Sessions Judge has mentioned in the impugned order that materials have come in paras-76 & 77 of the Case diary.

The learned APP on verification of the aforesaid paragraphs submitted that they are hear say witnesses. There is no allegation of specific overt act against the petitioner.

In such circumstances, prayer for bail is allowed and the petitioner named above, is directed to 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 Motihari Town P.S. Case No. 815 of 2016 to the satisfaction of learned Chief Judicial Magistrate, Motihari, East Champaran subject to condition that both the bailors should be close relatives of the petitioner.

(Sanjay Priya, J)

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