

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52585 of 2017

Arising Out of PS.Case No. -109 Year- 2017 Thana -BAHADURGANJ District- KISANGANJ

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Md. Sabir @ Sabbir, Son of Late Mahtab, Resident of Mohan Singh Gachh,
P.S.- Bahadurganj, District- Kishanganj.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Diwakar Sinha, Advocate.

For the Opposite Party/s : Mr. Aditya Narayan Singh 1, APP.

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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

3 22-12-2017 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in Bahadurganj P.S. Case
No. 109 of 2017 registered under Sections 302 and 201 of the
Indian Penal Code.

Ex-husband of the deceased is said to have
committed murder of the deceased by slitting her neck calling
from her house on mobile and dumped her dead body under the
Mariyadhar Loha Bridge. His complicity is said to have been
detected on the basis of the memory card of the mobile phone of
the deceased by the informant.

It is submitted by learned counsel for the petitioner
that admittedly the petitioner happens to be ex-husband of the



deceased and has given divorce to the deceased so it is unnatural as to why the deceased will step out of the house obliging him on his call. It is also submitted that memory card of the mobile phone of the deceased on the basis of which the petitioner is said to have been indulged in the occurrence has not been produced before the police and there is no eye witness of the occurrence. He has been falsely implicated in the case merely on suspicion as he has given divorce to the deceased earlier. The petitioner has been languishing in custody since 10.05.2017.

In the facts and circumstances of the case, 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 connection with Bahadurganj P.S. Case No. 109 of 2017

(Prakash Chandra Jaiswal, J)

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