

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10912 of 2017

Arising Out of PS.Case No. -83 Year- 2014 Thana -KHAIRA District- JAMUI

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Mohd. Abbas Mian @ Abbas Mian Son of Usmaan Mian Resident of
Village Baradih, P.O. Garhi, P.S. Khaira, District- Jamui.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Ms. Poonam Singh, Advocate.

For the Opposite Party : Mr. Amitesh Kumar, APP.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 22-06-2017 Heard both sides.

The petitioner apprehends his arrest in Khaira P.S. Case
No. 83 of 2014 registered for the offences punishable under
Sections 302, 201, 120B and 34 of the Indian Penal Code.

The informant alleged that his son Sakindra Yadav and
one Andi Turi had gone to forest to cut wood but the petitioner
and other accused persons objected. The informant pacified the
quarrel and returned to his house but his son did not return. On
31.05.2014 the dead body of his son Sakindra Yadav and Andi
Turi were found in a river.

Learned counsel for the petitioner submits that
altogether 11 persons including the petitioners are named in the
FIR. It is further submitted that the informant is not an eye witness
of the occurrence. Nobody has seen the occurrence. Only because



the petitioner and others had dispute with the deceased the informant on mere suspicion lodged this case. Similarly situated co-accused namely Nasruddin Mian @ Nasruddin has already been enlarged on anticipatory bail by a coordinate Bench of this Court vide order passed in Cr. Misc. No. 4337 of 2016 on 26.04.2016. The case of the petitioner stands on the same footing.

Considering the facts aforesaid and the facts that it is a case of double murder but there is no eye witness of the occurrence and similarly situated co-accused has already been enlarged on anticipatory bail and the case of the petitioner stands on the same footing, the petitioner above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, 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 Judicial Magistrate 1st Class, Jamui in Khaira P.S. Case No. 83 of 2014, Subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J.)

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