

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18341 of 2017

Arising Out of PS.Case No. -269 Year- 2016 Thana -HARSIDHI District-
EASTCHAMPARAN(MOTIHARI)

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Mahboob Mian, son of Botu Mian, Resident of Village- Ram Nagar, Police
Station- Harsidhi, District- East Champaran.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Harun Quareshi
For the Opposite Party/s : Mr. Sri Pranav Kumar

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

4 01-08-2017 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Harsidhi P.S. Case No. 269 of 2016, registered under
Sections 302 and 201/34 of the Indian Penal Code.

The accusation is that, on 16.08.2016, at 8 A.M.,
petitioner and one Mansoor Mian came at the door of the
informant and accompanied her husband, Ahmad Ansari for
doing the work of labourer. In the evening, informant received
information through Chaukidar that the dead body of her
husband is lying in bush near Ramnagar Nahar, on which, she



went with the villagers and identified the dead body of her husband. The informant raised suspicion against the seven persons named in the F.I.R. including the petitioner to commit the murder of her husband by pressing her mouth and threw the dead body in the bush.

Learned counsel for the petitioner submits that it would appear from the F.I.R. that nobody has seen the occurrence and the cause of death of the husband of the deceased is due to heart failure not by pressing the mouth. It is further submitted that similarly situated co-accused, Zakir Ansari @ Jakir Hussain, Sadhir Ansari @ Sadir Hussain, Mustafa Ansari, Habib Miyan and Salaeya Khatoon, have already been granted privilege of bail by a bench of this Court vide orders dated 26.07.2017 and 25.04.2017 passed in Criminal Misc. Nos. 14360 of 2017 and 12165 of 2017.

Having regard to the facts and circumstances of the case, let the above named petitioners be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Motihari, in connection with Harsidhi P.S. Case No. 269 of



2016, subject to the condition as laid down under Section 438(2)
of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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