

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32958 of 2017

Arising Out of PS.Case No. -178 Year- 2013 Thana -BIBHUTIPUR District- SAMASTIPUR

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Md. Quiyum @ Chhotakiya @ Quyamuddin Miya Son of Md. Aziz,
Resident of Village- Mothahan, P.S.- Goura O.P. (Marhourah), District-
Saran at Chapra (Bihar).

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Vinay Kumar Mishra

For the Opposite Party/s : Mr. Tarun Prasad Mandal

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**
ORAL ORDER

2 10-08-2017 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Bibhutipur P.S. Case no. 178 of 2013, registered under Sections 302
and 120-B of the Indian Penal Code.

The accusation is that in the night of 15.07.2013, Ram
Prit Singh @ Bilo Singh, husband of the informant, had gone to attend
the marriage ceremony of his Saru in his own village, but he did not
return till mid night. On search no trace was found. On 02.08.2013, the
informant came to know that one dead body was lying on the orchard
of Rajeev Ranjan Rai @ Bauya Rai in village Desari. Thereafter,
informant along with other family members reached there and
identified the dead body of her husband sustaining sharp cutting injury
on his person. Informant further stated that there was land dispute



between her husband and the petitioner and petitioner has given threatening to kill her husband as such informant raised suspicion about committing murder of her husband by the petitioner with the help of Md. Mustaque and 2-3 unknown persons.

Learned counsel for the petitioner submits that it would appear from the F.I.R. that the name of the petitioner has been disclosed by the informant mere on suspicion. The Police submitted the Final Form and learned Court below took the cognizance for the offence under Sections 302 and 120-B of I.P.C. The petitioner has no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Addl. Chief Judicial Magistrate, Rosera at Samastipur in connection with Bibhutipur P.S. Case No.178 of 2013, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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