

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55649 of 2016

Arising Out of PS.Case No. -26 Year- 2013 Thana -JAMOBABAZAR District- SIWAN

=====

1. Md. Kasim, Son of Late Sheikh Khush Mohammad, Resident of Village-
Musehri, Police Station- Jamo Bazar, District- Siwan.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Javed Aslam

For the Opposite Party/s : Mr. Sri Kalyan Shankar

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 02-03-2017 Heard both sides.

The petitioner seeks bail in Jamo Bazar P.S. Case No.
26/2013, registered for the offences punishable under Sections
302, 201, 120(B) and 34 of the Indian Penal Code.

The informant alleged that his brother Md. Nizamuddin
@ Sufian Alam was missing from his house but he did not return.
On 20.03.2013, he came to know that the dead body of his brother
was lying in a wheat field. The informant suspected that Bir
Bahadur Sah, his daughter Sobha Kumari and wife of Bir Bahadur
Sah and others might have killed his brother.

Learned counsel for the petitioner submits that the
petitioner is not named in the FIR. Save and except suspicion there
is no material to show the involvement of the petitioner in the



case. In para 75 of the case diary Md. Ali disclosed that the petitioner was also found going along with the deceased with Bir Bahadur Sah and his wife Seema Devi.

Learned Additional P.P. submits that the petitioner was found going along with the deceased.

It appears that the petitioner is not named in the FIR. Name of the petitioner figured in the case at the later stage of investigation that too from the mouth of a person who has stated in para 75 of the case diary that the petitioner was also found going along with the deceased. Save and except this fact there is no other material against the petitioner.

Considering the facts aforesaid, the petitioner above named 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, Siwan in connection with Jamo Bazar P.S. Case No. 26/2013.

(Prabhat Kumar Jha, J.)

Rakhi

U		T	
---	--	---	--

