

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39930 of 2017

Arising Out of PS.Case No. -291 Year- 2016 Thana -AJAMNAGAR District- KATIHAR

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1. Md. Mister Sons of Late Maniruddin Resident of Village-Kesabpur,
Police station, Azamnagar, District-Katihar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Rahmatullah, Advocate

For the Opposite Party/s : Mr. Nand Kishore Pd, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 12-10-2017 Heard learned counsel for the petitioner and learned
APP for the State.

The Petitioner seeks regular bail in connection with
Azamnagar P.S. Case No. 291 of 2016 for offences alleged under
Sections 302/201 of the Indian Penal Code.

The prosecution case, as lodged by the police personnel,
is that on information that unknown dead body of a lady is lying in
the paddy field at village Mangoi, it was found that the neck of the
deceased was tied with sari and the body was decomposed.
Accordingly, the FIR was registered against unknown.

It has been submitted by the learned counsel for the
petitioner that he is innocent, not named in the FIR and has been
made accused only on the basis of suspicion and that there is no



eye witness to the alleged occurrence.

However, learned APP for the State opposes the prayer for bail stating therein that the death was caused due to throttling and the independent witnesses have stated that the deceased was the '*Sautan*' of the petitioner's sister and was always beaten by the petitioner and his family members as such there is strong suspicion against the petitioner.

Considering the facts and circumstances and the materials on record, I am not inclined to grant the privilege of bail to the petitioner at this stage.

However, the petitioner may renew his prayer for bail after framing of charge.

(Nilu Agrawal, J)

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