

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2184 of 2017

Arising Out of PS.Case No. -362 Year- 2016 Thana -JAHANABAD District- JEHANABAD

- =====
1. Shamshad Alam son of Abdul Manan
 2. Irshad Ansari @ Irshad Alam son of Abdul Manan
 3. Kalo Mian @ Hazalu Rahman son of Qayum Ansari
 4. Kanaili @ Noor Alam son of Abdul Mazid
 5. Chhotu Mian son of Qayum Mian
 6. Sanjay Paswan @ SanJay Paswan son of Late Devi Paswan
 7. Bipin Sao son of Nandlal Sao
 8. Jyoti Sao son of Lakhon Sao. All residents of Village- Badhar, P.S. Jehanabad (Kalpa O.P.), District- Jehanabad.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Surendra Kumar Mishra

For the Opposite Party/s : Mr. Sri Asharaf Ansari

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 06-03-2017 Heard the learned counsel for the petitioners as well as the learned A.P.P. for the State.

In this application for anticipatory bail the petitioners apprehend their arrest in connection with Jehanabad (Kalpa O.P.) P.S. Case No. 362 of 2016 for the offences punishable under sections 147, 148, 149, 341, 342, 302 and 120-B of the I.P.C.

Allegedly, the dead body of Rustam, the son of the informant, and his Bhagina Md. Akhtar @ Sirajuddin were found lying in the village Badhar. He reached at the Postmortem House, Jehanabad and identified the dead bodies and alleged that his son and his Bhagina used to talk in the house of Barik Mian and it is



suspected that the family members of Barik Mian killed both of them under conspiracy and shouted “Chor-Chor”.

Submission is that there is no eye witness of the occurrence, only suspicion has been raised against the petitioners, the petitioners are not the family members of Barik Mian, during investigation it has come that the deceased have love affairs with the daughter of Barik Mian, the petitioners are villagers and not the family members of Barik Mian, in this case similarly situated other co-accused, namely, Bhulan Sao @ Jhulan Sao, Md. Musa Ansari and Ranjit Paswan @ Gabar have been allowed pre-arrest bail vide Cr. Misc. No. 1420 of 2017 by another co-ordinate Bench of this Court and as such the petitioners also deserve sympathetic consideration.

The learned A.P.P. submits that the witnesses during investigation have raised suspicion regarding hands of the petitioners also.

In the facts and circumstances as stated above, the petitioners, in the event of their arrest or surrender within four weeks from the date of receipt/production of a copy of this order shall be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of. C.J.M. Jehanabad in connection with above



mentioned case, subject to the conditions as laid down in section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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