

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23467 of 2017

Arising Out of PS.Case No. -102 Year- 2017 Thana -SIWAN CITY District- SIWAN

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Mehdi Hasan @ Saiyad Mehdi Abbas, son of Md. Zakariya, resident of
Village- Chainpur, P.S.- Kanti, District- Muzaffarpur.

.... Petitioner.

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner : Mr.

For the State : Mr.

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

4 21-09-2017 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Siwan (Nagar) P.S. Case No.102 of 2017 registered under
Sections 302 and 120(B)/34 of the Indian Penal Code besides
Section 27 of the Arms Act.

The accusation is that before one year in the month of
February, 2016, Nehal Mehdi, the brother of the informant, had
sustained gun shot injury and in that case, Viswakarma Bin and
others were named accused and Viswakarma Bin is still in
custody. In spite of being in custody, Viswakarma Bin used to
give threatening to his brother. On 21.02.2017, the informant



received information that his brother has been shot fire and his dead body has been taken to Sadar Hospital. Thereafter, the informant alongwith his family members went there and saw the dead body of his brother Nehal. The informant raised suspicion that Viswakarma Bin and this petitioner, under conspiracy, has committed the murder of his brother Nehal.

Learned counsel appearing on behalf of the petitioner submits that in course of investigation, the confessional statement of Viswakarma Bin was recorded, who disclosed about engaging one Barku Mian to commit the murder of Nehal Mehdi, the brother of the informant. The wife of the deceased, the brother of the informant, has also raised strong suspicion against Barku Mian as earlier he had given threatening to her husband. The name of the petitioner has been disclosed by the informant only on suspicion as there is land dispute in between the uncle of the petitioner and the deceased. The petitioner has no criminal antecedent.

Learned A.P.P. for the State submits that in the case diary, which is upto paragraph-131, only suspicion has been raised against the petitioner by the informant.

Having considered the facts and the circumstances of the case, let the petitioner, above named, in the event of his arrest or



surrender by him within six weeks from today, be enlarged on bail on his furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Siwan, in connection with Siwan (Nagar) P.S. Case No.102 of 2017 , subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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