

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1736 of 2017

Arising Out of PS.Case No. -171 Year- 2016 Thana -PALASI District- ARRARIA

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1. Afroj, Son of Rasid, Resident of village- Rampur Hari Tola, P.S.-
Bairgachhi, Dist.- Araria.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Singh

For the Opposite Party/s : Mr. Sri Rajkishore Singh

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

2 18-01-2017 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. Petitioner is in custody since 19.08.2016 in connection
with Palasi P.S. Case No. 171 of 2016 registered under Sections 302,
and 201/34 of the Indian Penal Code.

3. The informant raised suspicion against the accused
persons for committing murder of his younger brother as the deceased
was accompanied with the accused persons.

4. Learned counsel for the petitioner has submitted that the
petitioner is innocent and has not committed any offence. Merely on the
basis of suspicion, the petitioner has been implicated in this case. There
is no eye witness to the alleged occurrence nor there is any specific
evidence against this petitioner to prove the allegation against him. The
petitioner is languishing in custody for the last five months. Moreover,



co-accused, namely, Ishtiyaque @ Md. Ishtiyaque, has already been granted bail by a co-ordinate Bench of this Court in Cr. Misc. No. 51356 of 2016.

5. Considering the nature of accusation, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand rupees only) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-II, Araria in connection with Palasi P.S. Case No. 171 of 2016.

(Arvind Srivastava, J)

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