

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10342 of 2017

Arising Out of PS.Case No. -364 Year- 2016 Thana -NAWADA District- NAWADA

Md. Halim @ Abdul Halim, Son of Abdul Karim, Resident of Village -
New Azad Mohalla, Bhadauni, P.S. – Nawada Nagar, District - Nawada
..... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Malay Kumar Choudhary, Advocate
For the Informant : Mr. Birendra Kumar, Advocate
For the State : Smt Pushpa Sinha, A.P.P.

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 11-04-2017

Heard learned counsel for the petitioner and

learned APP for the State.

Petitioner seeks bail in a case registered for the offence punishable under Section 363 of the Indian Penal Code.

The FIR was lodged against unknown on missing of Azam Khan @ Vikky, the son of the informant. Later on, dead body of Azam Khan was found, thereafter suspicion is raised against the petitioner as Azam Khan was in love with the daughter of this petitioner.

Submission of the petitioner is that only suspicion is there. Moreover, identity of the dead body is yet to be established.

On the other hand, learned counsel for the informant submits that there is evidence of motive for commission



of murder alleged as well as the deceased was last seen with the petitioner and others, therefore, strong circumstance is there.

There is no reason to detain the petitioner in custody in a case based on circumstantial evidence.

Considering the aforesaid facts, let the petitioner, above named, 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 learned Chief Judicial Magistrate, Nawada/successor Court in connection with Nawada Town Police Station Case No. 364 of 2016, subject to the condition that the petitioner shall fully cooperate with the investigation and trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Kumar, J)

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