

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24117 of 2017

Arising Out of PS.Case No. -66 Year- 2016 Thana -BALRAMPUR District- KATIHAR

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1. Md. Ashraf Son of Haroon Rashid, Resident of Village- Kalidaspur,
Police Station- Balia Belone (Kadwa), District- Katihar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Helal Ahmad

For the Opposite Party/s : Mr. Sri Panchanand Pandit

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 28-06-2017 Heard learned counsel for the petitioner and
learned APP for the State.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 302 and 201/34 of the Indian
Penal Code.

When the local Chaukidar noticed the dead body
of first wife of this petitioner an FIR was registered against
unknown under Sections 302/201 of the Indian Penal Code.

During investigation, the petitioner confessed
before the police that he along with others had committed the
murder as the victim was having extra marital relation.

Submission of the learned counsel for the petitioner
is that the petitioner has not confessed anything before the police,
rather there is concoction of the prosecution story. The first wife was



separate from the petitioner and was doing job at Kolkatta and was residing along with her parents. The petitioner was already married with another lady.

Considering the fact that there is no substantial material against the petitioner collected during investigation as well as the fact that the investigation is complete, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge, Katihar/successor Court in connection with S. Tr. No. 274 of 2016 arising out of Balrampur Police Station Case No. 66 of 2016, subject to the condition that the petitioner shall fully cooperate with the investigation/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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