

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45846 of 2017

Arising Out of PS.Case No. -78 Year- 2016 Thana -THAKURGANJ District- KISANGANJ

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Basru @ Bashiruddin, son of Late Bhotku, resident of Village- Jiranganchh,
P.S.- Thakurganj, District- Kishanganj.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Choudhary

For the Opposite Party/s : Smt. Anita Kumari

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 07-11-2017 Heard learned counsel for the petitioner.

This is an application for bail in connection with Thakurganj P.S. Case No. 78 of 2016, registered for the offences punishable under Sections 302 and 201/34 of the Indian Penal Code.

Allegation against the petitioner and four other accused persons is that they had hanged the dead body of the deceased which was seen by the informant and he went to the village and informed about the same to other persons.

Submission of learned counsel for the petitioner is that there is no eye-witness to the occurrence and further petitioner is aged 75 years and he has nothing to do with the affairs of other accused persons, which has come in paragraphs 21 and 22 of the



case diary. Further submission is that motive behind the occurrence is that one Munekha Khatoon tried to settle marriage of her daughter and, as such, the deceased was killed. However, materials has come in the case diary that petitioner has taken side of the said Munekha Khatoon in Panchayati and, as such, he has been made accused in this case and he is in custody since 17.7.2017.

Heard learned APP also.

Having heard both sides and in view of facts and circumstances, as stated above, and also considering the age of the petitioner and there is nothing specific against him, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of Judicial Magistrate, 1st Class, Kishanganj, in connection with Thakurganj P.S.Case No. 78 of 2016, G.R.No.1296 of 2016, subject to the conditions as follows :

- (1) One of the bailors shall be a local person having sufficient immoveable properties within the jurisdiction of the court concerned,
- (2) Petitioner will co-operate in trial and



appear on each and every date in court and
on failure to appear on two consecutive
dates without any genuine ground or
without permission of court, his bail bond
shall be cancelled.

(Vinod Kumar Sinha, J)

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