

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58927 of 2017

Arising Out of PS.Case No. -464 Year- 2017 Thana -KISHANGANJ District- KISANGANJ

=====

Md. Shamim @ Md. Shamim Akhtar, S/o Late Abdul Majid, Resident of
Village- Khagra Hawai Ada, P.S.- Kishanganj, District- Kishanganj.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Jha

For the Opposite Party/s : Mr. Md. Ansarul Haque

=====

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 09-01-2018 Heard the learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks anticipatory bail in connection with
Kishanganj PS case no. 464 of 2017 registered for the offences
punishable under Section 302, 120(B)/34 of the Indian Penal
Code.

The allegation is regarding the accused persons conspiring
together and killing the deceased by strangulation by hanging him
on the fan. It is alleged that the wife of the deceased was
transported from Nepal to the place of occurrence by the maternal
uncle namely Arjun Sah and driver of the petitioner.

The learned counsel for the petitioner submits that the other
accused persons are the close family members of the deceased



and, therefore, they have a motive of murdering the deceased for grabbing the share of the deceased. However, the petitioner herein, who is an outsider to the family, has got no role to place in the alleged occurrence. It is submitted that the petitioner has a clean antecedent and he is ready to co-operate with the investigation.

Having regard to the facts and circumstances of the case, in the event of arrest or surrender within six weeks before the concerned court, the petitioner above named is directed to be released on anticipatory bail on furnishing bonds of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Kishanganj in connection with Kishanganj PS case no. 464 of 2017, subject to the conditions laid down under Section 438(2) of Code of Criminal Procedure.

It is directed that the petitioner shall co-operate with investigation and would be present as and when he is called by the investigating agency. Any non-cooperation with the prosecution will result in cancellation of the present privilege of anticipatory bail, for which the investigating Officer/ prosecuting agency shall be free to approach this Court.

(Mohit Kumar Shah, J)

BTiwary/-

U		T	
---	--	---	--

