

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.32550 of 2018

Arising Out of PS.Case No. -7 Year- 2018 Thana -DALSINGHSARAI District-
SAMASTIPUR

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Md. Ujale, S/o Md. Sohel, R/o Vill.- Chak Bahauddin, P.S.-
Dalsinghsarai, Distt.- Samastipur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s :Mr. Sabal Kumar Jha, Adv.

For the Opposite Party/s :Ms. Indu Kumari Srivastava, APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 19-07-2018 The petitioner seeks bail in anticipation of his arrest in connection with Dalsinghsarai P.S. Case No. 7 of 2018, dated 07.01.2018, which initially was instituted for the offences under Sections 279 and 304A of the Indian Penal Code, but later, Section 302 of the Indian Penal Code was added.

The *Chowkidar*, who is the informant of this case, has alleged in the F.I.R. that he saw a dead-body lying in the middle of the road with the injuries on his head. It appeared to him that perhaps he has been dashed by some speeding vehicle. Hence, the aforesaid F.I.R. was lodged by him.



After about 11 days of the institution of the F.I.R., one of the brothers of the deceased stated before the police that the deceased had been done to death in conspiracy and with active participation of the petitioner, one Md. Jhingur and the wife of the deceased, viz. Kamsana Khatoon. The reason assigned by the brother of the deceased for the aforesaid act of murder is that the petitioner had developed illicit relationship with the wife of the deceased, who has been identified as Md. Afroz.

Learned counsel for the petitioner has submitted that but for this vague suspicion, there is no other material to connect the petitioner with the crime. The petitioner denies of having any alliance with the wife of the deceased or the deceased himself. There is no eye-witness to the occurrence and the case is based only on suspicion, which is absolutely unfounded.

The petitioner does not have any criminal antecedent.

Considering the aforesaid facts, let the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, be released on bail on his furnishing bail bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned



1st Additional Chief Judicial Magistrate, Dalsinghsarai at Samastipur in connection with Dalsinghsarai P.S. Case No. 07 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Ashutosh Kumar, J)

Praveen-II/-

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