

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.46282 of 2018

Arising Out of PS. Case No.-273 Year-2018 Thana- PHULWARISHARIF District- Patna

MD. SHAHRUKH KHAN @ SHAHRUKH Son of late Md. Hasan Raja
Resident of Maulabag, P.S. Phulwarisharif, Distt. Patna (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dharmendra Kumar

For the Opposite Party/s : Mr. Sri Vinod Shankar Modi

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA

ORAL ORDER

6 03-12-2018 Heard the parties.

The petitioner seeks regular bail in connection with Phulwarisharif P.S.Case No.273 of 2018 dated 14.4.2018 registered for offences punishable under Sections 302,1 20(B), 34 of the Indian Penal Code and Section 27 of the Arms Act.

Allegation against the petitioner as per FIR is that the son of the informant was running a chicken shop and he used to open the shop in the morning and on 13.4.2018 as usual he came to the house at about 8:30 P.M. after closing the shop and while he was taking dinner at about 9.00 P.M. some one called on his mobile and he left his house taking his mobile and the informant and his son when did not return to the house, the wife of his son narrated about the same. It is also alleged that next day in the morning at about 11 P.M., his elder went outside and he heard the noise and came back and informed that some criminals have



committed murder of his brother. The petitioner is not named in the FIR and later on it appears that his name transpired during the course of investigation of the case on the basis of suspicion and also that the petitioner has invested amount in chicken shop and he was demanding his share, due to which the dispute arose and he has killed the deceased.

Submission of the learned counsel for the petitioner is that except suspicion and the confessional statement of the co-accused there is absolutely nothing against him and he is in custody for about more than 7 ½ months.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM XV, Patna in connection with Phulwarisharif P.S.Case No.273 of 2018.

With the aforesaid observation, this application is allowed.

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(Vinod Kumar Sinha, J)

