

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51437 of 2017

Arising Out of PS.Case No. -91 Year- 2014 Thana -KASBA District- PURNIA

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Tahir @ Md. Tahir S/o Md. Nausad Ali, R/o Village- Pipra, P.S.- Mufassil,
District- Purnea.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Jha
Mr. Bhola Prasad

For the Opposite Party/s : Mr. Dr.Mrityunjaya Kr.Gautam

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

5 04-01-2018 Heard the learned counsels for the petitioner and the

State.

The petitioner seeks bail in connection with Kasba
P.S. Case No. 91 of 2014 dated 02.06.2014 instituted for the
offences under Sections 302, 201/34 of the Indian Penal Code.

A dead body of a young male was found lying in a
ditch. The identity of the dead body could not be established at the
time of lodging of the FIR. During the course of investigation, two
persons viz. Md. Taimur and Md. Ramjan were arrested and they
disclosed the name of the petitioner and one Gaffar in the
occurrence.

Learned counsel for the petitioner has submitted that
the petitioner is not at all aware of Ramjan but has litigations with



Md. Taimur and therefore he has falsely been named by him in his confessional statement. It has also been submitted that one of the other co-accused persons who was named by the aforesaid two witnesses/co-accused persons viz. Gaffar @ Md. Gaffar, has been granted bail by a Bench of this Court vide order dated 12.08.2015 passed in Cr. Misc. No. 23202 of 2015. Apart from the confessional statement of the aforesaid two co-accused persons, there is no other material to connect the petitioner with the crime.

The petitioner is in custody since 27.07.2017 and has been made accused in one more case prior to lodging of the present case.

In the facts and circumstances, the petitioner above named is directed to be released on bail on his furnishing bail bond in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, Ist Class, Purnea in connection with Kasba P.S. Case No. 91 of 2014.

(Ashutosh Kumar, J)

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