

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19876 of 2018

Arising Out of PS.Case No. -8 Year- 2017 Thana -PURAINI District- MADHEPURA

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1. Firoz Khan, S/o Md. Halim, resident of Village- Makdampur, P.S.-
Puraini, District- Madhepura.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhay Krishna, Advocate

For the Opposite Party/s : Mr. Lakshmi Kant Sharma, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 16-05-2018 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case
registered for the offence punishable under Section 302 of the
Indian Penal Code.

According to FIR, some unknown person
committed murder of the grand-daughter of the informant, who
was aged about 20 years. The informant is specific that he has no
enmity with anyone nor any dispute with anyone.

After about four months of the occurrence, the
witness stated before the police that at about 1:00 AM, in the
night, in the light of torch he had seen eight persons fleeing from
the place of occurrence including the petitioner and others.

Submission of the learned counsel for the



petitioner is that considering the fact that only material was suspicion raised at the belated stage of investigation, co-accused Md. Atabul has already been allowed regular bail by a coordinate Bench of this Court in Cr. Misc. No.27686 of 2018.

Learned counsel for the informant opposed the prayer on the ground that for land dispute the petitioner had committed the murder.

Considering the material available on the record, in my view, the petitioner, deserves anticipatory bail. Hence, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of the Court-below where the case is pending in connection with Puraini Police Station Case No.8 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the petitioner shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Kumar, J)

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