

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33871 of 2018

Arising Out of PS. Case No.-687 Year-2017 Thana- PHULWARI District- Patna

Md. Motaro @ Nausad S/o Md. Nizam, Resident of Mohalla:- Lal Mian ke Dargah, P.S. Phulwarisharif, District:-Patna

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Manoj Kumar

For the Opposite Party/s : Mr. Rana Randhir Singh

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

4 02-08-2018 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner seeks bail in connection with Phulwari Sharif P.S. Case No. 687 of 2017, registered under Sections 364, 302, 201/34 of the Indian Penal Code.

The accusation is that on 27.10.2017, the informant informed the Police regarding missing of his elder son Mukesh Kumar. Thereafter, in course of search informant came to know that on 19.10.2017 in the night of Dipawali, in course of playing cards, hot talks were exchanged in between his son and five other persons, including the petitioner, named in the F.I.R. and the said persons threatened to his elder son. Thereafter, his elder son was concealing himself. In the same night, Dharmbeer and Bobby of village Hinduni moving on



motorcycle were stopped by the aforesaid persons, but they were left saying that Mukesh is not in them, when Mukesh arrived there then he was dragged by them and later on, the dead body of Mukesh recovered near the bridge.

Learned counsel for the petitioner submits that, in fact, mere on suspicion the informant has disclosed the name of five persons including the petitioner in his restatement. Further submission is that Saddam @ Samrat @ Tausif Hashmi and Md. Hasrat have already been allowed privilege of bail vide Criminal Miscellaneous No. 44369 of 2018 on 25.07.2018 and Criminal Miscellaneous No. 33606 of 2018, dated 17.07.2018, respectively. The petitioner has no criminal antecedent and he is in custody since 31.10.2017

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the ACJM-XV, Patna in connection with Phulwari Sharif P.S. Case No. 687 of 2017.

(Rajendra Kumar Mishra, J)

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