

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4832 of 2019

Arising Out of PS. Case No.-37 Year-2018 Thana- JANDAHA District- Vaishali

NOOR HUSSAIN, S/o Md. Ayub resident of Village- Shahpur Undi, (Iman Sarai) P.S. Patori, District-Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Shyameshwar Kumar Singh
For the informant	:	Mr. Mahendra Thakur, Advocate.
		Mr. Sanjay Kumar

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 23-04-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered under
Sections 302, 34 of the Indian Penal Code.

The prosecution case in brief is that while the son of the
informant was going to shut his shop, three unknown miscreants
fired indiscriminately and shot dead informant's son and fled
away making airy fire.

It has been submitted on behalf of the petitioner that there
is no allegation of tampering of witnesses alleged against the
petitioner. The petitioner is in custody since 18-08-2018.
Charge sheet has already been submitted. The petitioner has
been falsely implicated in the present case. The petitioner is not
named in the FIR. In course of investigation, on the basis of



CDR, the petitioner is suspected to be one of the accused of the case. Except for suspicion, there is no other substantive evidence to suggest the implication of the petitioner in the present case. There is no eye witness to the alleged occurrence nor there is any circumstantial evidence to implicate the petitioner in the present case.

On behalf of the State, it is submitted that the petitioner is not named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances, the petitioner named above is directed to be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Jandaha P.S. Case No. 37 of 2018.

(Sudhir Singh, J)

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