

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10651 of 2019

Arising Out of PS. Case No.-101 Year-2017 Thana- BALTHAR District- West Champaran

Sajjad @ Sajjad Ali, Son of Mehadi Mian, R/o village- Murli, P.S- Balthar,
Dist.- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Adv.

For the Opposite Party/s : Mr. Pushpa Sinha, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 22-02-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 302/34 of the Indian Penal Code.

The prosecution case as per the written report of Dinesh Mishra submitted to the S.H.O., Balthar P.S. is to the effect that the daughter of the informant, Purnima Kumari was married with one Juned Akhtar, seven years prior to lodging of present case. On 25.10.2017, at night the husband and six other in-law family members of the daughter of the informant killed the daughter of the informant by throttling. It is further alleged that the daughter of the informant used to inform the informant through telephone that her in-law family members were given



her life threat. The name of the petitioner sprang up during investigation on the confessional statement of the co-accused, Nasarullah @ Nurullah.

It is submitted by learned counsel for the petitioner that the petitioner is not the family member of the husband of the victim and only on the basis of the confession of the co-accused, Nasarullah @ Nurullah the petitioner has been roped in the present case. It is further submitted that except confession of the co-accused, no cogent material has been found against the petitioner and similarly situated co-accused persons Md. Nuraj has been granted regular bail by a co-ordinate bench of this Court, vide order dated 06.10.2018, passed in Cr. Misc. No. 59652 of 2018 and co-accused Md. Anish has been granted anticipatory bail by a co-ordinate bench of this Court, vide order dated 17.04.2018, passed in Cr. Misc. No.20388 of 2018, whose name also sprang up on the confessional statement of the co-accused, Nasarullah @ Nurullah.

It is submitted by learned APP for the State that the name of the petitioner sprang up during investigation.

Considering the fact that the accusation being specific against the in-law family members of the husband of victim and the name of the petitioner sprang up on the confessional



statement of co-accused person, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned **A.C.J.M.-VIIth, Bettiah, West Champaran** in connection with **Balthar P.S. Case No.101 of 2017**, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

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