

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16552 of 2019

Arising Out of PS. Case No.-79 Year-2018 Thana- NAANPUR District- Sitamarhi

MD. SAKUR @ ABDUL SAKUR Son of Abdul Gaffar Resident of Village-
Bathuli, P.S.- Nanpur, District- Sitamarhi,

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar Mishra

For the Opposite Party/s : Mr.Raj Ballabh Singh

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

4 15-07-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Nanpur P.S. Case No.79 of 2018 registered under Sections
302 and 201/34 of the Indian Penal Code.

The accusation is that in the evening of 14.03.2018,
Md. Phool Babu alias Mojallim came at the house of the
informant Firoza Khatoon and took her second son Md.
Taufique alias Hira Babu for watching the cricket match at
Faizpur. Thereafter, the third son of the informant also went to
watch the cricket match. While the third son of the informant,
namely, Md. Nafis alias Lalbabu, returned to his house at about
01.00 O' clock in the night , but his second son Hira Babu did



not return. In the next morning, when the informant started making query from Phool Babu alias Mojammil about her son Md. Taufique alias Hira Babu saying that he had gone along with him to watch the match but he did not return as yet, then Phool Babu informed the informant that Md. Taufique alias Hira Babu was going with Md. Nurain, resident of village-Bathuli, on motorcycle and had told him that he is going with Md. Nurain and asked him to remain stay there as he is returning from there. When he did not return for sometime, then he returned back from there. The informant also alleged that the land dispute was going on between the the petitioner and her. On 15.03.2018 in the morning, a rumour was spread about throwing of a dead body below the bridge of Faijpur Madraha. Thereafter, the informant along with her villagers and family members went there and identified the dead body as of her son Md. Taufique alias Hira Babu. The informant also raised suspicion that her son Md. Taufique alias Hira Babu has been killed by Md. Nurain and others and they threw his dead body to disappear the evidence.

Learned counsel appearing on behalf of the petitioner submits that it would appear from the F.I.R. that the informant has only alleged that the land dispute is going on in between her



and the petitioner. In course of investigation, while Md. Nurain confessed his guilt in committing the murder of Md. Taufique alias Hira Babu but he did not disclose the name of the petitioner having hand in any manner in committing the murder of Md. Taufique alias Hira Babu, the son of the informant. The petitioner is old and is aged about 72 years.

Having considered the facts and the circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender by him within six weeks from today, be enlarged on bail on his furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Sitamarhi, in connection with Nanpur P.S. Case No.79 of 2018, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

P.S./-

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