

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.444 of 2019**

Arising Out of PS. Case No.-175 Year-2018 Thana- AMDABAD District- Katihar

Sk. Tasua @ Sk. Taswa, son of Late Sk. Sahid Resident of Village - Nasi
Tola, Bariya, P.S.-Amdabad, District-Katihar

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

with

CRIMINAL MISCELLANEOUS No. 10840 of 2019

Arising Out of PS. Case No.-175 Year-2018 Thana- AMDABAD District- Katihar

SK. Idul, age 22 years, Male Son of Late Sk Jamil Resident of Nasitola,
Bairiya, P.S- Amdabad, Distt. Katihar

... .. Petitioner

Versus

The State of Bihar Bihar

... .. Opposite Party

Appearance :

(In CRIMINAL MISCELLANEOUS No. 444 of 2019)

For the Petitioner/s : Mr.Md. Musowir

For the Opposite Party/s : Mr.Smt. Meena Singh

(In CRIMINAL MISCELLANEOUS No. 10840 of 2019)

For the Petitioner/s : Mr.Sanjeev Kumar Singh

For the Opposite Party/s : Mr.Anita Kumari Singh

**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA**

ORAL ORDER

3 15-03-2019 Both the above stated petitions have arisen out of

Amdabad P.S. Case No. 175 of 2018 registered for the offences

punishable under Sections 302, 120-B of the I.P.C. and

accordingly, both the above stated petitions are being disposed

of by this common order.

Heard learned counsels for the petitioners, learned



counsel for the informant as well as learned Additional Public Prosecutor for the State.

Petitioners are named in the first information report but only suspicion has been raised against them on the ground that petitioner in Cr. Misc. No. 10840 of 2019 brought the motorcycle of the deceased to his house on the alleged date of occurrence and when the informant enquired from him about the whereabouts of deceased, the petitioner in Cr. Misc. No. 10840 of 2019 disclosed that he had already proceeded to his house. So far as petitioner in Cr. Misc. No. 444 of 2019 is concerned, the informant claimed that deceased was dropped by the above stated petitioner at the house of deceased. However, the first information report reflects that alleged occurrence took place on 03.10.2018 and subsequently, on 06.10.2018 headless body of the deceased was recovered from a ditch. Furthermore, first information report reflects that FIR named accused Saddam was arrested and confessed his guilt disclosing the involvement of the petitioners in the alleged crime. Admittedly, none has seen the actual killing of the deceased nor the weapon which is said to have been used in the alleged crime as well as head of the deceased were recovered and it appears that except suspicion as well as confessional statement of co-accused Saddam, there is



nothing against the petitioners. The investigation against both the petitioners have already been completed.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioners, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Katihar/concerned court in connection with Amdabad P.S. Case No. 175 of 2018.

(Hemant Kumar Srivastava, J)

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