

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45368 of 2019

Arising Out of PS. Case No.-118 Year-2018 Thana- MANJHAGARH District- Gopalganj

SADDAM HUSSAIN, Son of Md. Israil Ansari Resident of Village - Koini
West Tola, P.S.- Manjhagarh, Distt - Gopalganj.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Naresh Prasad
For the Opposite Party/s : Mr.Ashraf Ansari

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

3 01-10-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Manjhagarh P.S. Case no. 118 of 2018, registered under
Sections 364, 365, 302 and 201/34 of the Indian Penal Code.

The accusation is that in the morning of
11.05.2018, Irshad Ali @ Mohan, brother of the informant,
Abare Alam moved from house for Koini market boarding on
motorcycle bearing registration No. BR28Q-4185, but he did
not return and his mobile was also found switched off.

Learned counsel for the petitioner submits that on
the basis of the fardbeyan of informant Abare Alam,
Manjhagarh P.S. Case no. 118 of 2018, registered under
Sections 364, 365, 302 and 201/34 of the Indian Penal Code on



12.05.2018 regarding kidnapping of his brother Irshad Ali @ Mohan against unknown. After two days of the occurrence, the dead body was recovered by the Police at the bank of Gandak then information was given to the informant, who identified the dead body and in his re-statement, he disclosed the name of petitioner along with Saheb Hussain, Doctor Munna, Ali Akbar and Imamul Haque having hand in the murder of his brother due to land dispute. Further submission is that petitioner has been implicated in this case mere on suspicion due to land dispute and he has no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four 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 Chief Judicial Magistrate, Gopalganj in connection with Manjhagarh P.S. Case No. 118 of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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