

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58494 of 2019

Arising Out of PS. Case No.-90 Year-2017 Thana- JADIA District- Supaul

MD. KUDDUS, aged about 62 years (Male), Son of Gafoor, Resident of village- Mogalaghat, P.S.- Jadia, District- Supaul.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Dinesh Choudhary, Advocate.

For the Opposite Party : Mr.Brajendra Nath Pandey, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

3 04-12-2019 Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner seeks bail in a case for the offence registered under Sections 147, 148, 149, 341, 323, 324, 307 and 302 of the IPC.

The prosecution story, in brief, is that on 05.07.2017 at about 10.00 P.M. in the night, while the informant was sleeping with her daughter-in-law Shahana Khaton in her house, at about 11.45 P.M. in the night her she-goat is blessed to birth a baby goat (kid), she woke-up and opened the door then saw that the F.I.R. named accused persons were standing with arms and ammunitions. It is further alleged that co-accused Md. Jabbar gave order to caught and killed her. Upon which, all the accused persons caught her and Md. Jabbar, Md. Kuddus (petitioner) and



co-accused Salma Khatoon @ Dilshad Khatoon assaulted with knife in the stomach, chest, hand and leg as a result of which, she injured injuries. On hulla, her daughter-in-law Sahana Khatoon came to save her but the accused persons caught her and put on the ground and assaulted her with knife in the hand, leg, stomach and chest of her daughter-in-law, as a result of which, she sustained injuries and later on she died. The informant was admitted in the Hospital. The occurrence has taken place due to previous enmity.

It has been submitted by learned counsel for the petitioner that the petitioner is in custody since 04.05.2019. The petitioner has got no criminal antecedent. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. General and omnibus allegation has been made against the petitioner. Neither specific overt act nor specific injury is alleged against the petitioner.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, 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 the learned A.C.J.M.-
V, Supaul, in connection with Jadia P.S. Case No. 90 of 2017.

(Sudhir Singh, J)

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