

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2534 of 2019

Arising Out of PS. Case No.-86 Year-2018 Thana- KOCHADHAMAN District- Kishanganj

Md. Azam @ Ajam Shafi Sabir Alam @ Md. Sabir Alam, Resident of Village-
Palasbari, Police Station- Rauta, District- Purnia.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Kumar, Advocate.

For the Opposite Party/s : Mr. Lalan Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 04-02-2019 Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in **Sessions Trial No. 195 of 2018 arising out of Kochadhaman P.S. Case No. 86 of 2018**, instituted for the offence under Section(s) 302/34 of the Indian Penal Code.

It is alleged in the written report that younger brother of the informant namely, Hamid Raja was unmarried. His second brother has solemnised second marriage with Safiya Khatoon whose conduct was not good. She used to move with different person which was protested by Hamid Raja. It is alleged that about six months prior to the occurrence, Safiya Khatoon came closure to Md. Rehan Raja and Md. Azam (petitioner). Petitioner and Md. Rehan were going somewhere by Motorcycle and brother of the informant Hamid Raja was following him. Informant learnt that on 2.5.2018 at 6:00 p.m. his brother Hamid Raja has been killed on pukka road



situated at east side of Budigari village and a woman was caught hold. She disclosed her name as Safiya Khatoon. She disclosed before the villagers that brother of informant Hamid Raja was killed by this petitioner and Md. Rehan Raja by stabbing.

Counsel for the petitioner submits that he was not seen by any person on the spot. Police has not recorded confessional statement of the lady during investigation. It is merely mentioned in the written report that lady disclosed the name of this petitioner.

Petitioner is in custody since 10.9.2018 having clean antecedent.

Considering the aforesaid facts and circumstances of the case, prayer for bail of the petitioner is allowed. Let the petitioner above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned **District & Sessions Judge, Kishanganj**, in connection with **Sessions Trial No. 195 of 2018 arising out of Kochadhaman P.S. Case No. 86 of 2018**, subject to the condition that both the bailors will be the close relatives of the petitioner.

(Sanjay Priya, J)

S.Ali/-

U		T	
---	--	---	--

