

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66520 of 2019

Arising Out of PS. Case No.-276 Year-2019 Thana- FORBESGANJ District- Araria

1. MD. MOSIM @ MD. MOHSIN @ MOHSIN Son of Late Bokayi @ Jamruddin Resident of Village - Mirzapur, Patwa Tola, Ward No. 17, P.S.- Simraha, District - Araria
2. Mobin Son of Late Bokayi @ Jamruddin Resident of Village - Mirzapur, Patwa Tola, Ward No. 17, P.S.- Simraha, District - Araria
3. Md. Aaijub @ Ayyub Son of Majit @ Majid Resident of Village - Mirzapur, Patwa Tola, Ward No. 17, P.S.- Simraha, District - Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Sharma
For the Opposite Party/s : Mr.Ram Priya Sharan Singh

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

3 18-12-2019 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Forbesganj (Simraha) P.S. Case no. 276 of 2019, registered under Sections 364, 365 and 302/34 of the Indian Penal Code.

The accusation is that on 21.03.2019, in the evening, Md. Galib, younger brother of informant, had gone in the field, but he did not return. In course of inquiry, the informant came to know that his brother Md. Galib had gone to filed along with Pankaj Rajvanshi and Baidhnath Rajvanshi.



Thereafter, informant went to their house and made query, who replied that Md. Galib had returned from the filed. The informant raised suspicion having hand in the kidnapping of his brother Md. Galib by the petitioners and one Md. Farukh as before one day, the land was measured at that time they had given threatening to kill him.

Learned counsel for the petitioners submits that it would appear from the case diary, which is up to paragraph No. 83 that none had seen the petitioners with Md. Galib, brother of the informant, whose dead body was found after lodging of the case near the canal, due to dispute arose at the time of measurement of the land, the petitioners have falsely been implicated in this case. The petitioners have no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their 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 learned Chief Judicial Magistrate, Araria in connection with Forbesganj (Simraha) P.S. Case No. 276 of 2019, subject to the condition as laid down



under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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