

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3359 of 2020

Arising Out of PS. Case No.-18 Year-2017 Thana- KHAGARIA RAIL P.S. District- Khagaria

1. Md. Haidar @ Md. Haidar Ali Son of Late Suleman
2. Md. Sarfuddin @ Md. Ujulwa Son of Sadruddin
3. Md. Maqbool @ Masroor @ Maqbool Alam @ Md. Masroor Son of Late Badruddin

All are resident of Village - Maida Babhangama, P.S.- Birpur, Distt.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Babita Kumari

For the Opposite Party/s : Mr.Shyam Kumar Singh

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 22-01-2020 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners are in custody since 19.11.2019 in connection with Rail P.S. Khagaria Case No. 018/2017 registered for the offence punishable under Sections 302/201/34 of the Indian Penal Code.

Learned counsel for the petitioners submits that an unidentified dead-body was discovered by the constable of the GRP Katihar and, thereafter, it was identified to be the husband of Soni Khatoon. The FIR in this case was lodged on 01.06.2017 under Sections 302/201/34. It appears that thereafter



Soni Khatoon addressed a letter to the S.P., GRP, Katihar that her husband had gone away on 31.05.2017, but did not return back and subsequently his dead-body was found near the railway track. Learned counsel for the petitioners further submits that in her said written application addressed to the S.P. GRP, Katihar, she has named some persons namely, one Bipin Chaudhary who had called him for some work at the Registry at Begusarai. However, in her second statement, she has again raised suspicion that the Bipin Chaudhary, Pramod Mahto, Pawan Tiwari, Md. Kare @ Fajaula Ashraf, Wadil, Md. Bhagsar, Md. Ujulwa, Md. Haidar and Md. Sadir after hatching a conspiracy had abducted the husband of the lady and had thrown his dead-body at the railway track. Learned counsel for the petitioners thus submits that on two occasions, the said Soni Khatoon has raised suspicion against two sets of persons and the petitioner's name in this case is in the second set of such persons. He further submits that the entire implication of the petitioners is based on suspicion and not otherwise. He thus submits that the petitioners may be extended the privilege of bail.

Considering the aforementioned facts and circumstances and there being no cogent material, save and



except suspicion against these petitioners and others, 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 ACJM (R), Khagaria, in connection with Rail P.S. Khagaria Case No. 018 of 2017.

(Anjana Mishra, J)

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