

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10232 of 2020

Arising Out of PS. Case No.-89 Year-2019 Thana- KOCHADHAMAN District- Kishanganj
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1. JABUL RAHMAN Son of Late Bannu Resident of Village - Ragamani, P.S.- Kochadhaman, Distt - Kishanganj.
2. Jamil @ Jamil Akhtar Son of Saidul Rahman @ Saidur Rahman @ Saeedur Rahman Resident of Village - Ragamani, P.S.- Kochadhaman, Distt - Kishanganj.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Firoz Ahmad
For the Opposite Party/s : Mr.Murli Dhar

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

3 01-06-2020 Heard learned counsel for the petitioners and
learned APP for the State.

The petitioners, who are in custody since 12.11.2019 seek bail in connection with Kochadhaman P.S. Case No. 89 of 2019 dated 06.04.2019 instituted for the offence under Sections 364, 302, 201/34 of the Indian Penal Code.

The informant has alleged that there was a feast at his home on the occasion of Milad-ul- Nabi. One Muntazir Alam had come to his house and stayed with the nephew of



the informant, namely, Sohail Alam (deceased) for quite sometime. Thereafter, aforesaid Sohail Alam was not found in his house. Later, his slippers were found by the side of the river. Apart from this, there is confessional statement of the petitioners.

It appears from the records that the occurrence is of 01.04.2019 but the case has been instituted on 06.04.2019 i.e. after delay of five days. The names of petitioners transpired during the course of investigation but only after seven months of occurrence. Some of the persons, whose statement have been recorded in paragraph 86-89 of the case diary, have disclosed that they learnt that petitioners had also participated in killing the deceased. There does not appear to be any eye-witness of the occurrence.

Considering the aforesaid facts, namely, implication of the petitioners after seven months of the occurrence and witnesses making hear say statement as well as the period of custody of the petitioners, they are directed to be released on bail on furnishing bail bonds of Rs. 10,000/-



(Rs. Ten Thousands) each with two sureties of like amount
each to the satisfaction of learned Chief Judicial Magistrate,
Kishanganj in connection with Kochadhaman P.S. Case No.
89 of 2019.

(Ashutosh Kumar, J)

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