

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15894 of 2020

Arising Out of PS. Case No.-162 Year-2019 Thana- POTHYA District- Kishanganj

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MOHAMMAD MAZHAR Son of Najmuddin Resident of Village - Bara
Suhagi, P.S.- Pothia, Dist.- Kishanganj ... Petitioner

Versus

The State of Bihar

... Opposite Party

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Appearance :

For the Petitioner/s : Mr.Ram Prawesh Kumar, Advocate

For the Opposite Party/s : Ms.Anita Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 02-09-2020 This matter is taken up for consideration through

Video Conferencing under the orders of Hon'ble the Chief

Justice.

Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner apprehends his arrest in Pothia P.S.
Case No. 162 of 2019, registered for the offences punishable
under Section 302/201 of the Indian Penal Code.

Prosecution case in brief is that on 14.09.2019, when
the informant went to see her mother Kubera Khatoon at MGM
hospital and returned to her house. The informant after having
dinner with her daughter Hina Begam and mother-in-law
Amirun Begam, slept inside the room and her daughter and
mother-in-law slept in the courtyard of the house. When the
informant woke up in the morning, the persons in the courtyard
told her that Hina Begam has been murdered in the night. It is
believed that her daughter has been killed by unknown person.



It is submitted that petitioner has been falsely implicated in this case due to local politics. Petitioner is innocent. Petitioner is not named in the FIR. During course of investigation, name of this petitioner has come in this case. There is no other material against this petitioner, except the allegation that he has illicit relation with the victim. Petitioner has got clean antecedent.

Learned APP however, vehemently opposed the prayer for bail.

Considering the facts aforesaid, the petitioner above-named, in the event of his arrest/surrender before the court below within a period of eight weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, Kishanganj in connection with Pothia P.S. Case No. 162 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

vinita/-

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