

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS NO. 18806 OF 2020

Arising out of Korha P.S. Case No. 4 year 2020 District - Katihar

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1. Md. Jahiruddin, son of Mohammad Islam @ Md. Islam.
 2. Md. Chhabu @ Md. Chabhu, son of Mohammad Islam @ Md. Islam.
 3. Md. Aziz, son of Md. Hamid.
 4. Md. Talim @ Sonu @ Som, son of Aziz
 5. Larina Khatoon @ Lajina Khatoon, wife of Md. Suleman
 6. Md. Afroj, son of Md. Nazrul.

All are residents of Village – Simaria Karmu Tola, Police Station – Korha,
District – Katihar.

.....Petitioners

Versus

The State of Bihar

.....Opposite Party

Appearance:

For the Petitioner/s : Mr. Bhola Prasad

For the Opposite Party/s : Mr. Dinesh Singh

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

02. 16.07.2020

Heard Mr. Bhola Prasad, learned counsel for the petitioner and Mr.

Dinesh Singh, learned counsel for the State.



The petitioners seek bail in anticipation of their arrest in connection with Korha P.S. Case No. 4 of 2020 dated 01.01.2020 instituted for the offences under Sections 302/34 of the Indian Penal Code.

It has been submitted on behalf of the petitioner that though they have been named in the First Information Report specifically but with the accusation of having hatched a conspiracy in killing the deceased.

It has specifically been submitted on behalf of the petitioners that they are not even members of the mob but have been alleged to have played part in hatching of the conspiracy as stated above. It has also been submitted that the deceased had entered into an agreement for sale of a particular plot of a land with one Suleman for which some advance amount also have been given but later it transpired that the land did not belong to the deceased. This was the reason for the fight between the Suleman and his associates as well as the deceased. The petitioners have only been made accused in this case because they had expressed their sympathy for the other side.

Regard being had to the nature of accusation in the First Information Report and taking into account that the petitioners have clean antecedents, they are directed to be released on bail, in the event of their arrest or surrender before the court below within a period of six weeks from the date of this order on furnishing bail bonds of Rs. 10,000/- (Rs. Ten Thousand) each with two sureties of like amount each

1 of learned Chief Judicial Magistrate,



Katihar in connection with Korha P.S. Case No. 4 of 2020, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure.

(Ashutosh Kumar, J)

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