

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33589 of 2020

Arising Out of PS. Case No.-305 Year-2019 Thana- AIRPORT District- Patna

Jehara Khatoon wife of Late Navi Jan @ Kutti resident of village-
Samanpura, Police Station- Shastri Nagar, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok
For the Opposite Party/s : Mrs. Renu Kumari, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 14-12-2020 Due to COVID-19 Pandemic, the matter is being
taken up by way of virtual Court proceeding.

The matter has been listed under the heading “For Orders”
under the orders of Hon’ble the Chief Justice.

Learned counsel for the petitioner is directed to remove
the defect(s), as pointed out by the office, within a period of
four weeks after restoration of normalcy.

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

The petitioner seeks bail in a case for the offence
registered under Section 302/34 of the Indian Penal Code.

Prosecution case in short is that the informant runs a shop
in the name and style as M/s Tinku Bedding at Jagdeo Path
More near Pillar No. 11, in which his younger brother Navi Jan



@ Kutti (deceased) used to work. On the alleged date of occurrence at about 8.30 “O” clock, the informant arrived at his shop and was informed by the Thela Puller regarding conduct of the petitioner. Thereafter, one Tumkan @ Luku arrived at the shop and he was ordered by the informant to have a look of Navi Jan @ Kutti. He returned immediately and disclosed that Navi Jan @ Kutti has been lying with blood and the informant also found his brother lying in the pool of blood.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner is in custody since 12-12-2019. Charge sheet/Prosecution report in this case has already been submitted. The petitioner is not named in the FIR. In course of investigation, his name transpired in this case merely on the basis of suspicion. Except for suspicion, there is no other substantive evidence to suggest the implication of the petitioner in the present case. There is no eye witness to the alleged occurrence nor there is any circumstantial evidence to suggest the participation of the petitioners in the present case.

On behalf of the State, it is submitted that the petitioner is not named in the Complaint Case/F.I.R.



Considering the aforesaid facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Smt. Tanveer Kaur, learned Judicial Magistrate-Ist Class, Patna in connection with Hawai Adda P.S. Case No. 305 of 2019.

(Sudhir Singh, J)

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