

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80594 of 2019

Arising Out of PS. Case No.-5 Year-2019 Thana- DUMARIYA District- Gaya

Mahjid Miyan @ Maajid Miya @ Majid Ansari S/o Late Surfuddin @ Late Sarfuddin Miyan R/o village- Nonisot, P.S.- Dumariya, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar Singh

For the Opposite Party/s : Mr.Binod Kumar

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 13-01-2020 Heard the learned counsel for the petitioner and the learned APP for the State.

The petitioner seeks regular bail in connection with Dumariya P.S.Case No.5 of 2019 instituted for the offences punishable under Sections 326, 338 and 302/34 of the Indian Penal Code.

The FIR was lodged on recovery of dead body of the son of the informant whose murder was committed.

Submission is that suspicion is against three different persons. Suspicion against co-accused Brijnanandan Sharma @ Brijnandan Sharma is due to the fact that Brijnanandan Sharma @ Brijnandan Sharma had scuffled with the deceased four days back. Suspicion against the petitioner is on the ground that the petitioner had asked from the son of the deceased about



whereabout of the deceased. Co-accused Brijnanandan Sharma Brijnandan Sharma has already been allowed bail by a coordinate Bench of this Court vide Annexure-2.

Considering the fact that allegation against the petitioner similar to that of co-accused Brijnanandan Sharma @ Brijnandan Sharma as well as the fact that there is no material to substantiate the allegation, let the above named petitioner be released on regular bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Ist Class, Sherghati, Gaya/Successor Court in connection with Dumariya P.S.Case No.5 of 2019, subject to the condition that both bailors shall be resident of territorial jurisdiction of the learned court below and further the petitioner shall fully cooperate with the trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner and also that the petitioner shall not leave the country without permission of the Court.

(Birendra Kumar, J)

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