

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.167 of 2020

Arising Out of PS. Case No.-18 Year-2017 Thana- KHAGARIA RAIL P.S. District- Khagaria

1. Md. Vadil, Son of Badruddin @ Bado Resident of Village - Maida, Babhangama, P.S.- Birpur, Distt.- Begusarai.
2. Md. Sadir @ Md. Sabir @ Sabir Son of Haidar Resident of Village - Maida, Babhangama, P.S.- Birpur, Distt.- Begusarai.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shyam Kumar Singh
For the Opposite Party/s : Mr. Dr. Indivar Kumari

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 21-01-2020 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners seek bail in connection with Sadar Khagaria Rail Thana P.S. Case No. 18 of 2017, registered under Section 302 and 201/34 of the Indian Penal Code.

Learned counsel for the petitioners submits that it would appear from the fardbeyan of Mritunjay Kumar that a male dead-body was recovered near the railway line and Khagaria Rail Thana P.S. Case No. 18 of 2017, under Section 302, 201/34 of I.P.C. was instituted on 01.06.2017 against unknown. Later on, the dead body was identified by Md. Julfikar as his nephew Md. Shnaw and he did not raise



suspicion having hand of the petitioners. The statement of Soni, wife of deceased, was also recorded as detailed in paragraph No.3, where she only raised suspicion against Md. Faizan @ Kare. Later on Md. Badmaw gave his statement before the Police, as detailed in paragraph 20, raising suspicion against the petitioner due to land dispute having hand in the murder of deceased. The petitioners have no criminal antecedent and they are in custody since 20.09.2019. The Police after investigation has already submitted Chargesheet against the petitioners.

Having regard to the facts and the circumstances of the case, the petitioners, above named, are directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM®, Khagaria in connection with Khagaria Rail P.S. Case No. 18 of 2017 (G.R. No. 95 of 2017).

(Rajendra Kumar Mishra, J)

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