

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72791 of 2019

Arising Out of PS. Case No.-148 Year-2015 Thana- KADAMKUAN District- Patna

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MASHQOOR ALAM Son of Md. Mahtab Alam Resident of Village -
Mirzapur Bardah, P.S.- Mufassil, District - Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Krishna Prasad Singh, Sr. Adv. Mr.Parwej Khan, Adv.
For the Opposite Party/s :		Mr.Surendra Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 02-12-2021 Heard the parties.

The petitioner apprehends his arrest in a case in connection with Kadamkuan P.S. Case No.148 of 2015, registered for the offence punishable under Sections 306 & 34 of the Indian Penal Code.

The crux of the prosecution case is that the sister of the informant has committed suicide by hanging in the Girls Hostel. It is alleged that a message was found in the mobile of the deceased regarding the Bank account of this petitioner.

It is submitted by learned senior counsel for the petitioner that petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case on the basis of superficial suspicion. Petitioner has no concern with the alleged



occurrence. It is submitted that the mobile phone recovered from the room of the victim is in the name of one Md. Izhar Sami, resident of Gaziabad, Uttar Pradesh but the owner of the SIM number is the petitioner. Save and except the said fact and that there appears to be some communication between the parties, there is nothing on record to show that actually the petitioner was in any way responsible for abetting the suicide. Apart from this, the petitioner has no criminal antecedent.

Learned APP for the State opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Kadamkuan P.S. Case No.148 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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