

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41475 of 2021**

Arising Out of PS. Case No.-58 Year-2021 Thana- JOKIHAT District- Araria

Abdul Salam @ Abdus Salam Son of Moin Uddin @ Md Moinuddin Resident
of Village - Chakai Ward no.11, P.S.- Jokihat, Dist.- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Ziaul Quamar

For the Opposite Party/s : Mr.Anand Kishore Choudhary

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

3 04-03-2022 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Jokihat P.S. Case No. 58 of 2021, registered for the offence under Section 302 of the Indian Penal Code.

As per the F.I.R., the informant suspects that this petitioner killed his brother in order to grab the amount of Rs. 5 lacs, which was advanced to the petitioner by the deceased.

It is submitted on behalf of petitioner that informant is not eye-witness of the occurrence and only on the basis of suspicion, petitioner has been made accused in this case. During entire investigation, not a single witness has claimed that this petitioner was seen with the deceased or anyone has seen the petitioner assaulting the deceased. As a matter of fact, both



petitioner and brother of informant (deceased) were partners and doing the business. Petitioner is in custody since 16.02.2021. Chargesheet has already been submitted.

Learned A.P.P. for the State has opposed the bail petition and submitted that during course of investigation, the petitioner himself confessed that he has committed the murder of deceased in order to grab the amount, which was advanced to him by the deceased.

Considering the aforesaid facts and circumstances and the fact that save & except suspicion, there is nothing against the petitioner and period of custody, the bail petition of petitioner is allowed. Let the above named petitioner 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 learned C.J.M., Araria in connection with Jokihat P.S. Case No. 58 of 2021.

(Prabhat Kumar Singh, J)

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