

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2268 of 2022**

Arising Out of PS. Case No.-643 Year-2021 Thana- ARA NAGAR District- Bhojpur

MD. HASHMUDDIN @ MD. HASAMUDDIN @ PAPPU S/o Dr. S.N.
Shahabuddin @ Papu @ Md. Shahabuddin R/o Village- Doodh Katora, P.S.-
Ara Town, District- Bhojpur (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Singh, Advocate.

For the Opposite Party/s : Ms. Madhuri Lata, APP.

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH
ORAL ORDER**

5 24-02-2023 Learned counsel for the petitioner is permitted to
remove the defect(s), as pointed out by the office, if any, within
a period of three weeks from today.

Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in connection
with Ara Town P. S. Case No. 643 of 2021 registered for the
offences punishable under Section 306 of the Indian Penal
Code.

As per the prosecution case, the brother of the
informant namely Azad came to his house and after taking
dinner he went to sleep. On the next day, the brother of the
informant was found hanging with the ceiling fan. Thereafter,



the body of the informant's brother brought down by his family members and after some times the brother of the informant passed away. Thereafter, the police took the dead body of the brother of the informant to the hospital in an ambulance for post mortem. It is further alleged that from the mobile of the deceased the informant came to know that Rs. 3,00,000/- was given to the petitioner by the deceased. It is also alleged that the petitioner wanted to grab the shop of the deceased.

Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. No such occurrence as alleged has ever taken place. Learned counsel further submitted that there is no evidence against the petitioner for abetting the deceased to suicide. The name of the petitioner has been dragged in this case on mere suspicion. Learned counsel further submitted that the CDR does not support that on the date of occurrence, the telephonic conversation had ever taken place between the petitioner and the deceased. Learned counsel further submitted that it is highly suspicious that the deceased committed suicide only because the said money was not returned to the deceased. The petitioner has no criminal antecedent as stated in para 3 of the bail petition.

Learned A.P.P. for the State has vehemently opposed



the prayer of anticipatory bail petition of the petitioner.

Considering the aforesaid facts and circumstances, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Bhojpur at Ara in connection with Ara Town P. S. Case No. 643 of 2021, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

The application stands allowed.

(Chandra Prakash Singh, J)

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