

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38102 of 2024

Arising Out of PS. Case No.-113 Year-2018 Thana- BHAGALPUR RAIL P.S. District-
Bhagalpur

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Jamil Azhar @ Md. Jamil @ Md. Jamil Azhar S/o Mansoor Ahmad @ Md.
Mansoor Ahmad R/o Village Sarbaliya PO sarbhanga PS Mahgama District
Godda Jharkhand

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mohammad Akhter Hussain

For the Opposite Party/s : Mr.Mukesh Kumar Singh

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**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

3 08-07-2024 Heard learned counsel for the petitioner as well as
learned APP for the State.

2. In this case, the petitioner is seeking regular bail in
connection with Rail Thana P.S. Case No. 113 of 2018, registered
for the offences punishable under Sections 302, 201/34 of the IPC.

3. The informant alleges in the FIR that her son was
posted as Junior Engineer in the Irrigation Department. After
marriage of her son, the couple used to quarrel with each other.
Further, in connivance with other accused persons, the wife of the
deceased committed murder of her husband (deceased) and threw
his dead body on railway track.

4. The learned counsel for the petitioner has submitted
that the petitioner is innocent and has falsely been implicated in
this case. As a matter of fact, the dead body of the deceased was



found on railway track and U.D. Case No. 16 of 2018 was registered under Section 174 of the Cr.P.C. He has submitted further that the investigating authorities, after investigation, did not find any evidence suggesting that it was a case of murder and it was the reason that the investigating authorities submitted charge-sheet under Section 306 of the IPC. He has also submitted that the inquest report shows that nothing was recovered from shirt pocket of the dead body which shows that he committed suicide.

5. Considering the above-mentioned facts and circumstances specially the fact that charge-sheet has been submitted under Section 306 of the IPC, let the petitioner above-named be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Railway Judicial Magistrate, Bhagalpur in connection with Rail Thana P.S. Case No. 113 of 2018, subject to the following condition:-

(i) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

(Nawneet Kumar Pandey, J)

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