

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.24290 of 2015

Arising out of PS.Case No. -773 Year- 2014 Thana -ARARIA District- ARRARIA

1. MD. MURSHID ALAM @ MD. MURSHID @ MURSHID ALAM, son of Late Tazuddin.
2. Md. Saud @ Md. Saud Alam @ Laddu, son of Late Tazuddin. Both residents of village Ahmadpur, Police Station Simraha (Forbesganj), District- Araria.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioners : Mr. Sanjeet Kumar Tiwari, Advocate.
For the Opposite Party : Mr. M.K. Khare (App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 14-07-2015 The petitioners are apprehending their arrest in connection with Araria P.S. Case No. 773 of 2014 for the offences instituted under Sections 302 and 120(B) of the I.P.C.

Heard learned counsel for the petitioners and learned counsel for the State.

The prosecution story, in brief, is that one Hafiz Tanvir the husband of Sabina Naaz told on phone that he had killed her. Then the informant and his family members went to the police station and gave information. Thereafter they went to the residence of Hafiz Tanvir where they found Sabina Naaz hanging

from ceiling of the room. The police also arrived. The deceased Sabina Naaz had marks of violence on her body. It is also alleged that the deceased often told that her husband used to physically assault and threaten to cause her death. The informant has made allegation that his sister Sabina Naaz was killed by the accused persons for second marriage of her husband.

It has been submitted on behalf of the petitioners that the main allegation is against the husband of the deceased, namely, Hafiz Tanveer. As far as the petitioners are concerned, they are the brothers of the husband of the deceased. No specific allegation has been made against them. It is further submitted that the petitioners are separate in mess and property from his brother and have no concern with the husband of the deceased.

On behalf of the State it has been submitted that the petitioners are named in the F.I.R.

Considering the aforesaid fact that the main allegation is against the husband of the deceased, let the petitioners above named, be released on bail in the event of their arrest or surrender before the learned court below within a period of six weeks from today in connection with Araria P.S. Case No. 773 of 2014 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned

C.J.M., Araria, subject to the conditions as laid down under
Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)

