

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45653 of 2017

Arising Out of PS.Case No. -172 Year- 2017 Thana -LAHERIASARAI District- DARBHANGA

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1. Manzar Alam @ Gulab son of Late Abdul Hannan Ansari Resident of Mohalla - Karamganj, P.S. Lakheriasarai, District - Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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with

Criminal Miscellaneous No.46703 of 2017

Arising Out of PS.Case No. -172 Year- 2017 Thana -LAHERIASARAI District- DARBHANGA

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1. Md. Sharfe Alam Son of Late Abdul Hannan Ansari Resident of Mohalla-Karamganj, P.S.-Laheriasarai, District-Darbhang

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

(In Cr.Misc. No.45653 of 2017)

For the Petitioner/s : Mr. Shama Sinha

For the Opposite Party/s : Mr. Sri Kumar Virendra Narayan

(In Cr.Misc. No.46703 of 2017)

For the Petitioner/s : Mr. Shama Sinha

For the Opposite Party/s : Mr. Sri Kumar Virendra Narayan

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 11-10-2017 Both the cases have arisen out of same P.S.Case number, as such Cr. Misc.No.45653 of 2017 and Cr.Msic.No.46703 of 2017 are taken together for disposal.

Heard the parties.

The petitioners of both the cases seek regular bail in connection with Laheria Sarai P.S.Case no.172 of 2017 registered



for offences punishable under Sections 147, 148, 149, 341, 323, 326, 342 and 307 of the Indian Penal Code.

Allegation against the petitioners of both the cases is that they caught hold the deceased and set her on fire. The petitioner in Cr.Misc.No.45653 of 2017 happens to be brother-in-law and the petitioner of Cr. Misc. No. 46703 of 2017 happens to be husband of the deceased. There is allegation against petitioner Manzar Alam @ Gulab that he brought K.Oil and thereafter petitioner Md.Sharfe Alam set her on fire due to which she received injuries and when her family members came to save her they also received injuries.

Submission of the learned counsel for the petitioners is that she has received 99 % burn injuries and in such situation, her statement does not appear to be believable that she will make such a long statement before the police. Further submission is that the petitioner of Cr. Misc. No.45653 of 2017 is aged about 65 years and he has nothing to do with the affairs of the family members of the husband of the deceased and the petitioners of both the cases are in custody for five months.

Heard learned A.P.P. also, who has opposed the prayer for bail.

Having heard both sides and in view of the facts and



circumstances, as stated above, let the petitioner of Cr. Misc. No.45653 of 2017 (Manzar Alam @ Gulab) be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Darbhanga in connection with Laheria Sarai P.S.Case No.172 of 2017 with condition that he will co-operate in disposal of trial otherwise his bail bond shall be cancelled.

So far Md.Sharfe Alam (petitioner of Cr. Misc. No.46703) is concerned, after some argument, the learned counsel for the petitioner seeks permission to withdraw the application.

As such the application with respect to Md.Sharfe Alam is dismissed as withdrawn.

(Vinod Kumar Sinha, J)

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