

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.72182 of 2018

Arising Out of PS. Case No.-258 Year-2018 Thana- BAKHTIARPUR District- Saharsa

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1. Bibi Akbari D/o-Md. Kalim @ Md. Kalimuddin,
 2. Bibi Akhtari Khatoon D/o-Md. Kalim @ Md. Kalimuddin, Both are Resident of Village-Sitanabad South, Ward No. 8, P.S. Bakhtiarpur, District-Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nafisuzzoha

For the Opposite Party/s : Mr. Sri Ataur Rahman

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 10-12-2018

Heard both sides.

The petitioners seek bail in Bakhtiarpur P.S. Case No.258 of 2018 registered under Sections 147, 148, 149, 341, 323, 307, 302, 384, 504, 506 of the Indian Penal Code.

The informant named 13 persons including the petitioner, Bibi Akbari and Bibi Akhtari Khatoon and alleged that while his brother digging earth of foundation of his house, all the F.I.R. named accused persons came and accused Md. Mannan demanded Rs. 2 lac as Rangdari and when his deceased brother Wohab made protest all the accused persons surrounded him and accused Aliraja and Md. Nawab caught his brother and accused Suraj @ Baliyajan gave dagger blow on the chest and stomach of his brother due to which he fell down. Informant rushed to save



his brother deceased Md. Wohab but accused Md. Kalim also caught him. While Md. Junain was intervening accused persons also assaulted him. Thereafter all the accused persons badly assaulted his injured brother and the injured was brought to PHC Simri Bakhtiarapur where his brother Md. Wohab was declared dead.

Learned counsel for the petitioner submits that the petitioners are family members, although they are named in the FIR but no specific allegation is made against the petitioner. There is specific allegation against Md. Suraj that he inflicted dagger blow on the chest and stomach. Similarly situated co-accused persons, Md. Mannan@ Md. Abdul Mannan and Md. Zahid have already been granted by a coordinate Bench of this Court vide order dated 14.08.2018 and 27.11.2018 passed in Cr. Misc. No.50376 of 2018 and Cr. Misc. No.67144 of 2018 respectively. The case of the petitioner stands on better footing.

Learned Additional P.P. and learned counsel for the informant, however, opposed the prayer for bail.

Considering the facts aforesaid and the nature of allegation made against the petitioner, the petitioners, above named, are directed to be enlarged on bail on furnishing bail bond of Rs.10000/- (Ten thousand) each with two sureties of the like



amount each to the satisfaction of the learned C.J.M., Saharsa in
connection with Bakhtiarpur P.S. Case No.258 of 2018.

(Prabhat Kumar Jha, J)

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