

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.76869 of 2018

Arising Out of PS. Case No.-114 Year-2018 Thana- BAUSI District- Araria

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1. Bibi Aarisha, Wife of Haroon @ Harun Rashid.
 2. Amzad Ali, Son of Late Lal Mohammad. Both are Resident of Village-Sonapur (Ghaghri), Police Station-Bausi, District-Araria.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr.Viveka Nand singh, Advocate.
For the Opposite Party : Mr. Upendra Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 21-12-2018 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners are apprehending their arrest in a case for the offence registered under Sections 302/34 of the IPC.

The prosecution story, in brief, is that in the night of 26.09.2018, Bibi Aarisha (petitioner no.1), Amjad Ali (petitioner no. 2), co-accused Hayat Ali, Md. Sharik and Faijuddin assaulted the informant's brother as a result of which, he died on 27.09.2018 in the morning at 6.00 A.M. The informant reached at his brother's house at Village-Bharari Ghat and saw the dead body of his brother Md. Haroon lying in the *Verandah*. After the occurrence, accused persons fled away.

It has been submitted by learned counsel for the petitioners that the petitioners have got no criminal antecedent.



There is no allegation of tampering with the witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. The petitioner no. 1 is the wife and petitioner no. 2 is the father-in-law of the deceased. There is no eye witness to the alleged occurrence and merely on the basis of suspicion, the petitioners have been made accused in the present case.

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

Considering the aforesaid facts and circumstances, let the petitioners above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., Araria, in connection with Bausi P.S. Case No. 114 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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