

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.26409 of 2019**

Arising Out of PS. Case No.-317 Year-2018 Thana- BANKA District- Banka

1. MD. MURSHID @ MURSHID ANSARI S/o Mahamud Anasari Resident of Village- Telia, P.S. and District- Banka.
2. Md. Zawed @ Md. Zawed Akhtar @ Zawed S/o Kaum Resident of Village- Telia, P.S. and District- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Jai Ram Singh

For the Opposite Party/s : Mr.Mukeshwar Dayal

**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA**  
**ORAL ORDER**

4      27-08-2019                      This application, for grant of anticipatory bail, arises out of Banka P.S. Case No. 317/18, disclosing offences under Sections 302, 120(B) and 34 of the Indian Penal Code.

Prosecution case is that husband of the informant was called by the petitioners on their shop, thereafter, his dead body was found and the informant suspects that the accused persons killed her husband.

Submission of learned counsel for the petitioners that they have falsely been implicated in this case, which will appear from the fact that no external or internal injury has been found on the person of deceased in the postmortem report and the viscera was also preserved.



Heard learned A.P.P. also and perused the viscera report from which, it appears that no poisonous substance was found in viscera and further the postmortem report also does not disclose any internal or external injury on the person of the deceased.

Having heard both sides, in view of the above facts, this application is allowed. Let the petitioner, above named, in the event of their arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty five Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka, in connection with Banka P.S. Case No. 317/18, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

**(Vinod Kumar Sinha, J)**

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