

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37459 of 2019

Arising Out of PS. Case No.-271 Year-2014 Thana- BISFI District- Madhubani

Md. Ibrahim @ Md. Arif @ [Lal@Lalo](#) son of Noor Mohammad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukund Mohan Jha

For the Opposite Party/s : Mr. Anant Kumar 1

**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA**

ORAL ORDER

7 20-11-2019 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner is languishing in jail custody since
17.01.2015 in connection with Bisfi (Patauna) P.S.Case No. 271
of 2014 registered under sections 302, and other minor sections
of the Indian Penal Code.

Petitioner is not named in the first information report
and it would appear from perusal of the case diary that in course
of investigation, the name of petitioner surfaced in this case and
subsequently, he was arrested and remanded in jail custody.
However, Para-35 of the case diary goes to show that
investigating officer in-corroborated the statement of victim
Nemat Parveen, who stated in her statement that it was accused
Farjana, who administered poison in the milk to her father and



mother as well as others and so far as unknown persons are concerned, they were only present there. Therefore, even if, the participation of the petitioner in the alleged crime assumed to be true, then also, the accusation of administering poison to deceased and others against Farjana. The report of learned trial court goes to show that the trial of the petitioner is pending for recording prosecution evidence. The trial court has averred in the report that the trial of the petitioner is likely to be concluded within six months. The learned trial court has not mentioned in his report as to how many witnesses have been left to be examined in this case.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge-VI, Madhubani in connection with Bisfi (Patauna) P.S.Case No. 271 of 2014, subject to the condition that one of the sureties must be a close relative of the petitioner and shall swear an affidavit as to how he/she is related with the petitioner.

N.K/-

(Hemant Kumar Srivastava, J)

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