

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68185 of 2019

Arising Out of PS. Case No.-102 Year-2019 Thana- LADANIA District- Madhubani

1. Khalil Safi, Male, aged about 65 years, Son of Late Bauku Safi, Resident of Village - Lakshminiya, P.S.- Ladaniya, District - Madhubani.
2. Kushma Khatoon, Female, aged about 47 years, Wife of Md. Muslim Safi, Resident of Village - Lakshminiya, P.S.- Ladaniya, District - Madhubani.
3. Jarina Khatoon, Female, aged about 18 years, Daughter of Md. Muslim Safi, Resident of Village - Lakshminiya, P.S.- Ladaniya, District - Madhubani.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr.Bimal Kumar, Advocate.

For the Opposite Party : Mr.Dilip Kumar No. 1, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 19-11-2019 Heard learned counsel for the petitioner, learned counsel for the informant and learned counsel for the State.

The petitioner seeks bail in a case for the offence registered under Sections 302 and 201/34 of the IPC.

The prosecution story, in brief, is that on 13.06.2019, Jarina Khatoon (petitioner no. 3) called the son of the informant by Mobile bearing No. 7766005761 and purchased some gold ornaments from Laxmi Abhushan, Ladaniya. His son did not return till evening then the informant and others searched him. It is also alleged that on 14.06.2019, the informant came to know that the petitioners and others murdered Md. Nasir, son of the



informant and threw the dead body in the bush back side of the Petrol Pump. On hulla, the informant alongwith his family reached then saw the dead body of his son Md. Nasir Safi. The informant claims that the petitioners and others murdered Md. Nasir Safi under conspiracy the evidence.

It has been submitted by learned counsel for the petitioners that the petitioners are languishing in custody since 16.06.2019. The petitioners have got no criminal antecedent. Charge sheet has been submitted in the present case. The petitioners have falsely been implicated in the present case. There is no allegation of tampering with the witnesses alleged against the petitioners. It is a case of last seen. Except for this, there is no circumstantial evidence to suggest the participation of the petitioners in the present case. There is no eye witness to the alleged occurrence.

On behalf of the State and the informant, it is submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners above named, be released on 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. IV, Madhubani, in connection with Ladania P.S. Case



No. 102 of 2019.

(Sudhir Singh, J)

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