

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16044 of 2020

Arising Out of PS. Case No.-251 Year-2018 Thana- MANJHAGARH District- Gopalganj

PARWEZ ALAM @ PRAWEJ ALAM @ PRAWEZ ALAM Son of Akhtar
Mian Resident of Village - Khagnibibi, P.S.- Goreyakothi, District- Siwan,

... .. Petitioner.

Versus

The State of Bihar

... .. Opposite Party.

with

CRIMINAL MISCELLANEOUS No. 14271 of 2020

Arising Out of PS. Case No.-251 Year-2018 Thana- MANJHAGARH District- Gopalganj

1. SAJID ALI Son of Fazal Mian Resident of Village - Khagnibibi, P.S.- Goreyakothi, Dist.- Siwan.
2. Hasim Ansari Son of Moharram Mian Resident of Village - Ahirwaliya, P.S.- Manjhagarh, Distt.- Gopalganj. At present resident of Village - Khagnibibi, P.S.- Goreyakothi, Dist.- Siwan.

... .. Petitioners.

Versus

The State of Bihar

... .. Opposite Party.

Appearance :

(In CRIMINAL MISCELLANEOUS No. 16044 of 2020)

For the Petitioner : Mr. Lokesh Kumar Singh, Advocate.

For the State : Mr. Ram Anurag Singh, A.P.P.

For the Informant : Mr. Javed Aslam, Advocate.

(In CRIMINAL MISCELLANEOUS No. 14271 of 2020)

For the Petitioners : Mr. Lokesh Kumar Singh, Advocate.

For the State : Mr. Nitya Nand Tiwary, A.P.P.

For the Informant : Mr. Javed Aslam, Advocate.

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

- 3 21-08-2020 Since the petitioners of both the applications seek bail in connection with Manjhagarh P.S. Case No.251 of 2018 registered under Sections 302 and 201/34 of the Indian Penal Code, therefore, both the applications have been taken up together and, having heard



together through Video Conferencing, are being disposed of by this common order.

The accusation is that the informant Manish Kumar, who was posted as Officer Incharge of Manjhagarh Police Station, on 21.08.2018, received information about lying of the dead body of an unknown female near brick-kiln in village-Safapur, then the informant along with other police personnel and Block Development Officer, Manjhagarh, reached at village-Vishambharpur Safapur and near the brick-kiln, from a ditch of an orchard, the dead body of a female in semi decomposed condition was recovered. While the informant tried to identify the dead body with the help of local Chowkidar and villagers but none was able to identify the same. The informant claimed that it appeared to him that some unknown committed the murder of a female.

Learned counsel appearing on behalf of the petitioners submits that on the basis of the written report of the informant, the present case was instituted on 21.08.2018 on the recovery of the semi decomposed dead body of a female and, thereafter, the dead body was sent for post-mortem examination. In course of investigation, Nurisa Bibi gave an application to Manjhagarh Police, as detailed in paragraph-30 of the case diary, to the effect that she came to know from a newspaper about the recovery of dead body of a female and on seeing the clothes upon the same, she identified the dead body as of her daughter Shabnam Khatoon, claiming that the marriage of her



daughter was performed with Prawez Alam (petitioner of Criminal Misc. No.16044 of 2020) but due to his ill-behaviour, her daughter filed Complaint Case No.1892 of 2018. Thereafter, Prawez Alam (petitioner of Criminal Misc. No.16044 of 2020), the husband of her daughter, along with Sajid Ali and Hasim Ansari (petitioners of Criminal Misc. No.14271 of 2020) and some others came at her house and took her daughter on 14.08.2018 with an assurance to keep her properly. She tried to talk to her daughter on 15.08.2018 on mobile phone but mobile phone of her daughter was found switched-off. Thereafter, she made query to the family members of sausal of her daughter, who informed that her daughter had left the house before two days. She claimed that her daughter, under conspiracy, has been killed by the petitioners and others. Further submission is that Parwez Alam alias Prawej Alam alias Prawez Alam (petitioner of Criminal Misc. No.16044 of 2020) happens to be the husband of Shabnam Khatoon, whereas the petitioners, namely, Sajid Ali and Hasim Ansari (petitioners of Criminal Misc. No.14271 of 2020), respectively, are maternal uncle and cousin brother of Parwez Alam alias Prawej Alam alias Prawez Alam (petitioner of Criminal Misc. No.16044 of 2020). Further submission is that, in fact, Parwez Alam alias Prawej Alam alias Prawez Alam (petitioner of Criminal Misc. No.16044 of 2020) along with their relatives including Sajid Ali and Hasim Ansari (petitioners of Criminal Misc. No.14271 of 2020) went to the house of Shabnam Khatoon, the daughter of Nurisa Bibi,



and took her from there to his house with an assurance to keep her properly but due to arrogant behaviour, she left the house of Parwez Alam alias Prawej Alam alias Prawez Alam (petitioner of Criminal Misc. No.16044 of 2020) and information in this regard was given to her mother but after recovery of semi decomposed dead body of a female by Manjhagarh police, Nurisa Bibi, the mother of Shabnam Khatoon, gave an application to the Manjahgarh Police implicating the petitioners falsely. The petitioners are in custody since 15.10.2019.

Having regard to the facts and the circumstances of the case, the petitioners, above named, are directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Gopalganj, in connection with Manjhagarh P.S. Case No.251 of 2018.

(Rajendra Kumar Mishra, J)

P.S./-

U		T	
---	--	---	--

