

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2677 of 2022

Arising Out of PS. Case No.-585 Year-2021 Thana- SAHARSA SADAR District- Saharsa

MD. GUFRAN S/O MD. SAGIR R/o village- Bherdhari, Ward No.- 06 (37 Old), Patuaha, P.S. and District- Saharasa

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Jha, Advocate

For the Opposite Party/s : Mr.Surendra Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 26-05-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in a case registered for the offences punishable under Sections 302 and 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner is in custody since 05.08.2021, is a person with clean antecedent and charge-sheet has been submitted in the case.

Learned counsel for the petitioner submits that the informant alleges that on 23.07.2021 in between 8-9 am, his sister informed that Md. Gufran (petitioner) was assaulting her, on which the informant, his father and mother went to the place of occurrence, but Md. Gufran went in hiding, thereafter it is alleged that when they were returning back home, Md. Gufran,



Md. Badal along with three unknown persons intercepted them on their way and Md. Gufran and Md. Badal started assaulting his father by twisting his neck, further on alarm, the accused fled away and the father was declared dead by the doctors on arrival at the hospital.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case, he is brother of the son-in-law of the deceased, it is next submitted that though in the F.I.R. it is alleged that the father of the informant was killed by the accused persons, including the petitioner, by twisting his neck but from perusal of the postmortem report annexed as Annexure '2' to the bail application, it would manifest that the doctor has opined that cause of death could not be ascertained at present and no external injury was found on the deceased.

Learned A.P.P. for the State opposes the prayer for bail of the petitioner.

Considering the fact that the petitioner is in custody since 05.08.2021, is a person with clean antecedent, charge-sheet has been submitted in the case and taking into consideration the submissions made by the learned counsel for the petitioner, let the petitioner above named be released on bail



on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Saharsa Sadar P.S. Case No. 585 of 2021.

(Satyavrat Verma, J)

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