

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5814 of 2022

Arising Out of PS. Case No.-87 Year-2021 Thana- BALIA BELON District- Katihar

1. Md Soyeb Alam @ Md Soyeb Son Of Late Ziyaur Rahman Resident Of Village- Ratanpur, P.S.- Balia Belone, District- Katihar
2. Md Mujahid Alam @ Mujahid Son Of Late Mustaque Alam Resident Of Village- Molanapur, Kadamgachhi, P.S.- Barsoi, District- Katihar

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Najeeb Ahmad, Advocate
For the State	:	Mr. Anant Kumar 1, APP
For the Informant	:	Mr. Md. Musowir, Advocate

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 04-08-2022 Heard learned counsel for the petitioners, learned counsel for the Informant and learned APP for the State and perused the case diary.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 302 and 201/34 of the Indian Penal Code.

Prosecution case is that the petitioners had a part play in commission of the murder of the minor daughter of the informant and disappeared the dead body with a view to remove the evidence.

It is submitted by learned counsel for the petitioners that the petitioners have falsely been implicated in this case. He further submits that there is no evidence against these petitioners and only on the basis of hearsay and confessional statement of co-accused Md. Abu Talib, the name of the



petitioners came into light and further submits that from the evidence, it appears that the deceased had sexual relationship with co-accused Md. Abu Talib, who is also minor, and the victim became pregnant. Further he submits that there is no evidence about the complicity of the petitioners. Petitioners have clean antecedent.

Learned APP appearing for the State opposed the anticipatory bail.

Considering the aforesaid submissions, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge-cum-Additional District & Sessions Judge-VII, Katihar in connection with Balia Belone P.S. Case No. 87 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

Brajesh Kumar/-

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