

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17133 of 2022

Arising Out of PS. Case No.-206 Year-2021 Thana- MAHESI District- East Champaran

1. MD ALAMGIR @ ALAMGIR S/o Late Shekh Md. Abbas Resident of Village- Sarai Banwari, P.s.- Mehshi, District- East Champaran.
2. Shahana Khatoon W/o Md. Alamgir @ Alamgir Resident of Village- Sarai Banwari, P.s.- Mehshi, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Anisur Rahman

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 25-07-2022

Learned counsel for the petitioners is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioners and learned APP for the State.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 323, 326 and 302 read with section 34 of the Indian Penal Code.

As per the prosecution case, it is alleged that the petitioner and co-accused persons assaulted and committed murder of the husband of the informant, while he was going to Mehshi for treatment. The death body of the informant's husband was found in the bush.

Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this



case. Nothing has been recovered from the possession of the petitioners. The petitioners have clean antecedent as stated at para 3 of the bail petition. There is no eye witness in the case. There is general and omnibus allegation against the petitioners. The petitioner are in custody since 24.12.2021.

Learned A.P.P. for the State has opposed the bail petition of the petitioners.

Considering the aforesaid facts and circumstances, the petitioners above-named, are directed to be enlarged on bail on them furnishing bail-bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M-6, Motihari, District East Champaran, in connection with Mehsi P.S. Case No. 206 of 2021, with a condition:-

1. The petitioners are directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioners is liable to be canceled.

The application stands allowed.

atul/-

(Chandra Prakash Singh, J)

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