

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32985 of 2021

Arising Out of PS. Case No.-248 Year-2019 Thana- KOCHADHAMAN District- Kishanganj

1. GULJAR ALAM S/o Farijuddin @ Abdul Farizuddin R/o village- Khikhir Tola Puar, P.S.- Goalpokhar, District- Uttar Dinajpur (W.B.)
2. ABDUL BASIR S/o Mohammad Ali R/o village- Khikhir Tola Puar, P.S.- Goalpokhar, District- Uttar Dinajpur (W.B.)

... .. Petitioners.

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar

For the Opposite Party/s : Mr. Binod Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 06-07-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

Learned counsel for the petitioners undertakes to remove the defects, as pointed out by the office, within four weeks. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 302 & 201 of the Indian Penal Code.

The allegation against the petitioners is that they have assisted in committing murder of the deceased.



It is submitted by learned counsel for the petitioners that no such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. Petitioners are not named in the F.I.R. and there is no connecting evidence against these petitioners. The name of the petitioners transpired in this case on the confessional statement of co-accused Mahbul Alam alias Manowar Alam. The husband of the deceased is already in judicial custody. Similarly situated co-accused Jahida Khatoon @ Jahada Bibi and another have been enlarged on bail by a co-ordinate Bench of this Court vide order dated 02.08.2021 passed in Cr. Misc. No.38180 of 2020. Petitioners have no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Kochadhaman P.S. Case No.248 of 2019,



subject to the condition as laid down under Section 438 (2) of
the Cr.P.C.

(Anjani Kumar Sharan, J)

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