

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48709 of 2022

Arising Out of PS. Case No.-144 Year-2020 Thana- SABAUR District- Bhagalpur

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1. BIBI PAIRYA @ RUKSHANA WIFE OF MD. SAMSDAD R/O VILLAGE- RAJPUR, P.S.- SABOUR, DISTRICT- BHAGALPUR
 2. MD. SHAMSHAD SON OF MD. MOULI R/O VILLAGE- RAJPUR, P.S.- SABOUR, DISTRICT- BHAGALPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar Singh

For the Opposite Party/s : Mr.Navin Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 08-12-2022 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 petitioners have preferred this application for grant of regular bail in a case registered under sections 341, 323, 324, 307 and 302 read with 34 of the Indian Penal Code.

As per the prosecution case, in the night there was a scuffle between Md. Kalim and Md. Shamshad. The son of the informant was there as a middle-man and the petitioner and the other co-accused persons in connivance with one another



assaulted the informant's son with sharp cutting weapons. They also injured three other persons at the time. At that time the informant was sleeping in the Madarsa. On hulla, the informant came running to the place of occurrence and saw that the four persons were in injured condition and the accused persons were armed with knife. Later, with the help of the villagers, the other injured persons and the informant's son were taken to the hospital where the informant's son was declared dead.

Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. There is general and omnibus allegation against the petitioners. The petitioner no. 1 is a lady. Nothing has been recovered from the possession of the petitioners. The petitioners have clean antecedent as stated in para 3 of the bail petition. The petitioners are in custody since 10.06.2020.

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 as well as the period of detention, are directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned court concerned, Bhagalpur, in



connection with Sabaur P.S. Case No. 144 of 2020.

The application stands allowed.

(Chandra Prakash Singh, J)

atul/ayush/-

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