

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6719 of 2023

Arising Out of PS. Case No.-71 Year-2021 Thana- KAJRAILICHAK District- Bhagalpur

1. Md. Rizwan @ Md. Rizwan Khan S/O Late Gufran Khan R/O Village- Sahpur Tamauni, P.S.- Kajreli, Distt- Bhagalpur.
2. Md. Osman @ Pintu @ Osman S/O Late Gufran Khan R/O Village- Sahpur Tamauni, P.S.- Kajreli, Distt- Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Md. Osman @ Pintu @ Osman S/o Late Gufran Khan R/o Village- Sahpur Tamauni, P.S.- Kajreli, Distt- Bhagalpur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ambrish Kumar Jha
For the Opposite Party/s : Mr.Abhay Kumar Roy

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 01-05-2023 Heard learned counsel for the petitioners and

learned APP for the State.

The petitioners have filed the instant application for grant of regular bail in a case registered for the offences punishable under Sections 147, 148, 149, 307, 325, 302/34 of the Indian Penal Code.

The allegation against the petitioners and other co-accused persons is that they assaulted the family members of the informant due to which niece and sister-in-law of the informant sustained injuries and mother of



the informant succumbed to injuries during the course of treatment.

It is submitted by learned counsel for the petitioners that the petitioners are innocent and they have committed no offence. They have falsely been implicated in the present case. It is further submitted that due to some minor altercation between the families the case has been registered. From perusal of the postmortem report, it appears that death of mother of informant is due to heart ailments. The postmortem report does not corroborate with the prosecution version of the case. Moreover, the petitioners are languishing in judicial custody since 01.11.2022.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioners on bail.



The above named petitioners are directed to be enlarged on bail in connection with Kajreli P.S. Case No. 71 of 2021 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Bhagalpur.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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