

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7970 of 2023

Arising Out of PS. Case No.-368 Year-2022 Thana- JOKIHAT District- Araria

1. BIBI SABILA @ ASHMINA KHATOON @ BIBI SAFILA Wife of Allauddin, D/o Ibrahim R/V- Matiyari Ward no. 5, P.S- Jokihat Dist- Araria
2. Matina @ Matina Khatoon Wife of Ibrahim R/V- Matiyari Ward no. 5, P.S- Jokihat Dist- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Prasad Singh

For the Opposite Party/s : Mr. Brajendra Nath Pandey

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 12-04-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners seek regular bail in connection with Jokihat P.S. Case No. 368 of 2022 registered for the offence under Sections 302/34 of the Indian Penal Code.

As per prosecution case, allegation against the petitioners is of indulging in hatching conspiracy to commit murder of the informant's son in connivance with others co-accused persons when informant's son went to her in-laws house.

Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. A statement has been made in para-3 of the petition that the petitioners have got no criminal antecedent. Both the petitioners



are in-laws of the deceased due to which they have falsely been implicated in this case on the basis of suspicion. The informant is not eye-witness of the alleged occurrence and nothing consistent evidence has come against the petitioner to show his involvement in the alleged offence. Moreover, similarly situated co-accused namely, Samina @Bibi Shamina who is wife of the deceased has already been granted bail by a co-ordinate Bench of this Court vide order 29.3.2023 passed in Cr. Misc. No. 55949 of 2022. It is further submitted that the petitioners are languishing in judicial custody since 17.10.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be released on bail in connection with Jokihat P.S. Case No. 368 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Araria.

(Sunil Kumar Panwar, J)

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