

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11390 of 2023

Arising Out of PS. Case No.-948 Year-2022 Thana- ARA NAGAR District- Bhojpur

MD. MUSTAFA Son of Ghasita Rain Resident of Mohalla- Chiktoli, P.S.- Ara
Town, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 18684 of 2023

Arising Out of PS. Case No.-948 Year-2022 Thana- ARA NAGAR District- Bhojpur

MD. IRFAN Son of Md. Samim R/V- Dharahara, P.S- Ara Town, Dist-
Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 11390 of 2023)

For the Petitioner/s : Mr.Amarendra Kumar

For the Opposite Party/s : Mr.Umesh Lal Verma

(In CRIMINAL MISCELLANEOUS No. 18684 of 2023)

For the Petitioner/s : Mr.Braj Bhushan Mishra

For the Opposite Party/s : Mr.Shyam Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 16-05-2023 Heard learned counsel for the petitioners, informant
and learned APP for the State.

The petitioners have prayed for regular bail in a case
instituted for the offence under Sections 302, 120B and 34 of
the Indian Penal Code, Section 27 of the Arms Act and later on
added Sections 25(1-b), 26 and 35 of the Arms Act.



As per FIR, some unknown miscreants killed the son of the informant namely, Vikky @ Shashikant. The informant has four sons, who earn their livelihood through business or services. His son namely, Vicky @ Shashikant had differences with his brothers in property matter about two years ago and thereafter, he lived in a rented house.

It is submitted by learned counsel for the petitioners that petitioners have been falsely implicated in this case due to dirty village politics. They have committed no offence. Petitioners are not named in the FIR and the same has been lodged against unknown persons. The name of these petitioners have come into light, on the basis of confessional statement of co-accused Md. Akhtar Hussain, which has got no evidentiary value in the eyes of law. There is no consistent evidence, no eye-witness of the alleged occurrence and no specific overt act against these petitioners. They are languishing in judicial custody since 21.11.2022.

The application for bail is opposed by learned APP for the State and learned counsel for the informant.

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 enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) each with two sureties of the like amount each to the satisfaction of the learned Court below in connection with Ara Town P.S. Case No. 948 of 2022.

(Sunil Kumar Panwar, J)

arish/-

U		T	
---	--	---	--

