

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13852 of 2023

Arising Out of PS. Case No.-181 Year-2017 Thana- ATHMALGOLA District- Patna

1. MD. SARFARAJ AHAMAD S/O LATE TAIYAB @ TABBU R/v- Ahijan, P.S.- Athmalgola, District- Patna
2. ASARFU KHATUN W/O MD. SARFARAJ AHAMAD R/v- Ahijan, P.S.- Athmalgola, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Kashyap, Adv.

For the Opposite Party/s : Mr.Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 29-04-2023 Heard learned counsel for the petitioners and learned APP
for the State.

The petitioners apprehend their arrest in a case registered
for the offence punishable u/s 302, 34 of the IPC.

As per the prosecution case, sister of the informant was
brutally assaulted and killed by her in-laws including the
petitioners herein by pressing her throat and thereafter, they fled
away, leaving behind her dead body.

It is submitted by learned counsel for the petitioners that
petitioners are quite innocent and have committed no offence.
They have been falsely implicated in this case due to grudge. No
such occurrence, in the manner as alleged, has ever taken place.



The allegation leveled against the petitioners is not specific rather general and omnibus in nature. Petitioners are the in-laws of the deceased and husband of the deceased has already been granted bail by a co-ordinate Bench of this Court vide order dated 08.03.2019 passed in Cr. Misc. No.13880 of 2018. Petitioners have no criminal antecedent.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, since husband of the deceased has already been granted bail, 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 court below where the case is pending/Successor Court in connection with Athmalgola P.S. Case No.181 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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