

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14319 of 2023

Arising Out of PS. Case No.-91 Year-2022 Thana- SHRI NAGAR District- Madhepura

MD. ISRAILE SON OF MD. BIDESHI R/O VILLAGE- POKHARIYA,
WARD NO.02, P.S.- SHRI NAGAR, DISTRICT- MADHEPURA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 16229 of 2023

Arising Out of PS. Case No.-91 Year-2022 Thana- SHRI NAGAR District- Madhepura

MD BIDESHI SON OF LATE MD AHMAD RESIDENT OF VILLAGE -
POKHARIYA, WARD NO. - 1, P.S. - SHRI NAGAR, DISTRICT -
MADHEPURA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 14319 of 2023)

For the Petitioner/s : Mr.Shyameshwar Kumar Singh, Adv.

For the Opposite Party/s : Mr.Ramesh Chandra, APP

For the Informant : Mr.Rupesh Kumar, Adv.

(In CRIMINAL MISCELLANEOUS No. 16229 of 2023)

For the Petitioner/s : Mr.Shyameshwar Kumar Singh, Adv.

For the Opposite Party/s : Mr.Vinod Shanker Modi, APP

For the Informant : Mr.Rupesh Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 12-05-2023 As both these case arises out of the same offence, they are

being taken up and heard together and disposed of by this

common order.

Heard learned counsel for the petitioners, learned counsel

for the informant and learned APP for the State.



Petitioners apprehend their arrest in connection with Shri Nagar P.S. Case No.91 of 2022, registered for the offence punishable u/s 302, 201/34 of the IPC.

As per the prosecution case, the accused persons including the petitioners are said to have committed murder of sister and niece of the informant.

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. 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. Petitioner Md. Israile is the brother-in-law of the deceased and petitioner Md. Bideshi is the father-in-law of the deceased sister of the informant. They had no concern with the life of deceased and her husband Md. Jubrial, who is already in judicial custody. Petitioners have no criminal antecedent.

Learned APP for the State as well as learned counsel for the informant opposed the prayer for bail by submitting that two murders have been committed by the accused persons, one is the wife of the co-accused Md. Jubrial and second is a baby of one and a half year.



Having regard to the facts and circumstances of the case and considering the nature of allegation, I am not inclined to enlarge the petitioners on bail. The prayer for grant of anticipatory bail on their behalf is hereby rejected.

This application is accordingly dismissed.

However, petitioner of Cr. Misc. No.16229 of 2023 namely Md. Bideshi, is at liberty to surrender before the learned court below within a period of six weeks from today and seek regular bail and the learned Court below would pass order, preferably, on the same day, in accordance with law, considering that there is no specific overt act against this petitioner and that he is aged about 80 years.

(Anjani Kumar Sharan, J)

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