

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23824 of 2023

Arising Out of PS. Case No.-289 Year-2022 Thana- SULTANGANJ District- Patna

1. Md. Tipu Kuraisi @ Tipu Kurasai @ Tipu Sultan Son Of Md. Nasim Kuraisi @Md. Nasim Resident Of Village- Sahganj, Dhobi Gali, Ps- Sultanganj, Distt- Patna
2. Md. Azad Son Of Md. Rasid Resident Of Village- Sahganj, Dhobi Gali, Ps- Sultanganj, Distt- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Krishna Jha
For the Opposite Party/s : Mr. Ashok Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 20-07-2023 Heard learned counsel for the petitioners and learned APP for the State.

The petitioners seek regular bail in connection with Sultanganj P.S. Case No. 289 of 2022 registered for the offence under Sections 341, 324, 302, 34 of the Indian Penal Code and Section 27 of Arms Act.

Prosecution case, in brief, is that the informant who is wife of the deceased, alleged that she heard sound of noise and got out from his house where she saw her husband sustained bullet injury on chest. Thereafter, the injured was taken to hospital where doctor declared him dead. The informant raised suspicion and stated that the petitioners along with others



committed murder of her husband.

Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. There was a dispute regarding share of property between the parties due to which both the petitioners have falsely been implicated in this case. From perusal of FIR as well as case diary, the informant is not an eye witness of the alleged occurrence rather on the basis of presumption, she lodged the instance case. There is no specific overt-act attributed to the petitioners and general and omnibus allegations leveled against them. Both the petitioners have got no criminal antecedent as stated in para-3 of the bail petition. It is further submitted that the petitioners are languishing in judicial custody since 14.8.2022.

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 as well as custody period of the petitioners, this court is inclined to enlarge them on bail. The above named petitioners are directed to be released on bail in connection with Sultanganj P.S. Case No. 289 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 Additional District and Sessions Judge-
IVth, Patna City, District- Patna.

(Sunil Kumar Panwar, J)

lata/-

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

