

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25823 of 2023

Arising Out of PS. Case No.-209 Year-2017 Thana- PHULWARIYA District- Gopalganj

MEGHU @ MEGHU ANSARI @ SHAKIR ALI Son of Sulemanul Resident
of village - Mahuwan Buzurg, P.S.- Kaptanganj, District - Kushinagar (U.P.)

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Harendra Prasad

For the Opposite Party/s : Mr.Anil Kumar

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 19-05-2023 Heard the learned counsel for the petitioner and
learned APP for the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with
Phulwariya P.S. Case No. 209 of 2017 registered for the offence
under Sections 302, 120B read with Section 34 of the Indian
Penal Code and Section 27 of the Arms Act.

As per F.I.R., prosecution case in brief, is that the
deceased Quyum Ansari, the brother of informant was married
with Nagma Khatoon. He further submits that after marriage
Quyum Ansari went to a foreign country. In the meantime,
Nagma Khatoon had purchased a land and had built a house



from the money sent by Quyum Ansari. He further submits that Nagma Khatoon performed court marriage with Amirul Haque and when this fact come to the knowledge of Quyum Ansari he insisted that Nagma Khatoon to return the property which caused dispute between them. Nagma Khatoon along with Amirul and his accomplice murdered Quyum Anasari who is the brother of the informant. It is further alleged that when the foul smell came from the septic tank then the informant asked about the foul smell from the accused Nagma Khatoon and accused Nagma Khatoon fled away. Upon this the informant informed the police and the dead body was recovered from the septic tank.

Learned counsel for the petitioner submits that petitioner has committed no offence and the prosecution story is totally false. The petitioner is made accused in the present case only on the basis of mere speculation and suspicion and allegation against all the accused persons are general and omnibus.

Learned counsel for the petitioner also submits that the petitioner is in custody since 06.01.2023.

Learned A.P.P. has vehemently opposed the prayer for bail.



Considering the aforesaid facts and the period of custody, this application for regular bail is allowed.

Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM, XVI, Gopalganj in connection with Phulwariya P.S. Case No. 209 of 2017.

As a condition of this bail order, one of the bailors should be close blood relative of the petitioner.

(Sandeep Kumar, J)

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