

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28222 of 2022

Arising Out of PS. Case No.-611 Year-2021 Thana- FORBESGANJ District- Araria

1. MD. MURSALIM SON OF JALIL ANSARI R/O VILLAGE- RAMPUR SOUTH, WARD NO.-09, P.S.- FORBESGANJ, DISTRICT- ARARIA
2. KASMIN KHATOON @ RABINA KHATOON WIFE OF MD. MURSLIM R/O VILLAGE- RAMPUR SOUTH, WARD NO.-09, P.S.- FORBESGANJ, DISTRICT- ARARIA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K. Aggrawal, Sr. Advocate Mr. Ramesh Kumar Singh, Advocate
For the Opposite Party/s	:	Mr. Madhura Nand Jha, APP Mr. Madhav Jha, Advocate

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 16-01-2023 Heard learned Senior counsel for the petitioners,
learned A.P.P. for the State and learned counsel for the informant.

The petitioners have preferred this application for grant of regular bail in a case registered under sections 447, 287, 289, 308 and 34 of the Indian Penal Code.

As per the prosecution case, the informant states that on getting up in the morning, there was a foul smell and it appeared that the accused persons had poisoned the hand-pump of the informant. Seeing her it is stated that the two petitioners ran away.

It is submitted by learned Senior counsel appearing for the petitioners that the petitioners have been falsely implicated in the case over land dispute between the members of the family, the



informant happens to be the wife of brother of petitioner no. 1. Neither there is an eye-witness nor is there any test report to substantiate the informant's allegations. The petitioners are in custody since 29.3.2022 and charge-sheet has been submitted in the case.

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

Having heard learned counsel for the parties and taking into consideration the nature of allegation in the F.I.R. together with the petitioners having remained in custody for 9 months since 29.3.2022 and charge-sheet having been submitted in the case, both the petitioners are directed to be enlarged on bail in connection with Forbesganj P.S. Case no. 611 of 2021 on each of them furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Araria.

(Partha Sarthy, J)

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