

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32847 of 2023

Arising Out of PS. Case No.-30 Year-2023 Thana- KOCHADHAMAN District- Kishanganj

1. MD RAHIL @ MD RAHIL ALAM SON OF SAHRUDDIN VILLAGE-MEHANDIPUR WARD NO.13, PS- KOCHDHAMAN DISTRICT KISHANGANJ
2. SHAMSHAD @ NOORJAMA ALAM SON OF MD ISHAQUE VILLAGE-MEHANDIPUR WARD NO.13, PS- KOCHDHAMAN DISTRICT KISHANGANJ

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR PATNA

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Prawesh Kumar, Adv.

For the Opposite Party/s : Mr.Pramod Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 21-08-2023 Heard the parties.

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

3. As per the prosecution case, the petitioners along with other accused persons are said to have brutally assaulted the husband of the informant and after twenty days, he died in course of treatment.

4. 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 ulterior motive. 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. It is submitted that there is no eye-witness to the alleged occurrence and only on suspicion, petitioner has been made accused in the present case. It is further submitted that in compliance of the order dated 21.07.2023, case diary has come and from perusal of the same, it is evident that the postmortem report has not supported the prosecution case as in the report, it is mentioned that no external injury was found on the body of the deceased. Petitioners have no criminal antecedent.

5. Learned APP for the State opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case, 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 Kochadhaman P.S. Case No.30 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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