

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28908 of 2023

Arising Out of PS. Case No.-54 Year-2023 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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Md. Ishitiyaque Son Of Md. Abbas @ Abbas Miyan Resident Of Village -
Parna, P.S. - Nima Chandpura, District - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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with
CRIMINAL MISCELLANEOUS No. 33341 of 2023

Arising Out of PS. Case No.-54 Year-2023 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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Jamil Ansari @ Jamil Akhtar @ Md Jamil Ansari Son Of Late Abul Qaiyum
Ansari Resident Of Village - Porna, Ward No.- 01, P.S.- Neemachandpura,
District - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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with
CRIMINAL MISCELLANEOUS No. 35582 of 2023

Arising Out of PS. Case No.-54 Year-2023 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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Md. Mahfooz Ansari Son Of Late Abdul Qaiyum Ansari Resident Of Village -
Parna, Ward No.- 01, P.S.- Neemachandpura, District - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :
(In CRIMINAL MISCELLANEOUS No. 28908 of 2023)
For the Petitioner/s : Mr.Manoj Kumar
For the Opposite Party/s : Mr.Umesh Lal Verma
(In CRIMINAL MISCELLANEOUS No. 33341 of 2023)
For the Petitioner/s : Mr.Bipin Kumar
For the Opposite Party/s : Mr.Sanjay Kumar Tiwary
(In CRIMINAL MISCELLANEOUS No. 35582 of 2023)



For the Petitioner/s : Mr.Anshu Dhar Sharma
For the Opposite Party/s : Mr.Md. Fahimuddin
For the Informant : Mr. Vinod Gautam

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 13-07-2023 Heard learned counsel for the petitioners, learned APP
for the State and learned counsel for the informant.

The petitioners have prayed for grant of bail in connection with Begusarai Muffasil P.S. Case No. 54 of 2023 registered under sections 302, 120(B) and 34 of the Indian Penal Code and Section 27 of the Arms Act.

Prosecution case in short, is that, the husband of the informant went out of his house, in the meantime, six persons with motorcycle started chasing the informant's husband and co-accused namely, Faiz Ahmad shot fired upon him and further other two co-accused persons also shot fired resulting to his death.

Learned counsel for the petitioners submits that the petitioner are innocent and have committed no offence. They have falsely been implicated in this case. The petitioner No.1 and petitioner No.2 is not named in FIR although the petitioner No.3 is named in FIR and only on the basis of confessional statement of main co-accused person, the name of these petitioners came into light in this case. It is further submitted that no specific allegation has been levelled against all these



petitioners rather the specific allegation of shot fire due to which the informant's husband shot dead is against other co-accused person, namely, Faiz Ahmed Khan along with two other co-accused persons. It is also submitted that the petitioner No.1 and 2 have got no criminal antecedent whereas the petitioner No.3 has got 4 criminal antecedents. Moreover, they are languishing in judicial custody for more than 4 months.

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

Having heard learned counsel for the parties and considering the facts and circumstances of this case as well as the custody of the petitioners, the Court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail in connection with Begusarai Muffasil P.S. Case No. 54 of 2023 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, Begusarai.

(Sunil Kumar Panwar, J)

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