

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38291 of 2023

Arising Out of PS. Case No.-543 Year-2022 Thana- NAANPUR District- Sitamarhi

1. Firoja Khatoon @ Afrja Khatoon Wife of Md. Hafijul Resident of Village- Tole Lohaitha, Bahera Jahidpur, PS- Nanpur, District- Sitamarhi
2. Md. Kalimuddin Son of Md. Hafijul Resident of Village- Tole Lohaitha, Bahera Jahidpur, PS- Nanpur, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar

For the Opposite Party/s : Mr.Syed Ehteshamuddin

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 17-08-2023 Heard learned counsel for the petitioners, informant and learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 363, 302 of the Indian Penal Code.

3. As per allegation in the FIR, the informant alleged that her son went to bring domestic articles from Kirana shop at near Lahautha pool but he did not return. Thereafter, the informant raised strong suspicion that her son has been abducted and killed by the accused persons after hatching conspiracy.

4. Learned counsel for the petitioners submits that the petitioners are innocent, not named in the FIR and have been falsely implicated in this case due to suspicion. There is no eye witness of the alleged occurrence. He submits that during course



of investigation, no any consistent material has come on record against the petitioners. He submits that similarly situated co-accused has already been granted bail by a coordinate Bench of this Court vide order dated 27.06.2023 passed in Cr. Misc. No. 18141 of 2023. He further submits that petitioners have no criminal antecedent as stated in para-3 of this application.

5. Learned APP for the State and learned counsel for the informant fairly submit that there is no specific overt act against the petitioners.

6. Considering the facts and circumstances of the case, let the above named petitioners in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail 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 Nanpur P.S. Case No. 543 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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