

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43520 of 2023

Arising Out of PS. Case No.-48 Year-2023 Thana- NARPATGANJ District- Araria

1. Shekh Khalil @ Md Khalil @ Bachan S/O Late Rasool R/O Village- Pathraha, Ward No. 5, Ps. Narpatganj (GHURANA), Dist. Araria
2. Md. Eyaz @ Md. Aijaj S/O Md. Lalo R/O Village- Pathraha, Ward No. 5, Ps. Narpatganj (GHURANA), Dist. Araria

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Prasad Singh

For the Opposite Party/s : Mr.Uma Shankar Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 21-07-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners have prayed for grant of bail in connection with Narpatganj P.S. Case No. 48 of 2023 registered under sections 147, 148, 149, 341, 323, 324, 307 and 302 of the Indian Penal Code.

Prosecution case in short, is that, having heard hullah in the village, the father of the informant went there and saw that some accused persons were assaulting villagers namely, Jahoor Khan and Manjoor Khan then the informant's father tried to save them in the meantime, co-accused, namely, Md. Lado and Khursid assaulted his father on chest by means of Bolder



due to which he fell down and became senseless. It is further alleged that later on, after hearing noise, villagers came and saw that informant's father had died.

Learned counsel for the petitioners submits that the petitioner are innocent and have committed no offence. They have falsely been implicated in this case due to village politics. It is further submitted that general and omnibus allegation has been levelled against both the petitioners rather the specific allegation of assault due to which the father of the informant's died is against co-accused, namely, Md. Lalo and Md. Khursid. It is also submitted that a statement has been made in para-3 of this petition that the petitioners have got no criminal antecedent. Moreover, they are languishing in judicial custody since 29.01.2023.

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

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 Narpatganj P.S. Case No. 48 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 C.J.M., Araria.

(Sunil Kumar Panwar, J)

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