

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44126 of 2022

Arising Out of PS. Case No.-200 Year-2020 Thana- BIRPUR District- Supaul

1. MD. QURWAN @ SUDAN Son of Md. Syyed
2. Md. Aslam Son of Md. Rahmat
Both are Resident of Village - Basantpur, Ward No.- 12, P.S.- Birpur, District
- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun, Advocate

For the Opposite Party/s : Mr.Dinesh Singh, App

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

4 16-02-2023 Let the defect(s), if any, pointed out by the office

be removed within three weeks from the date of this order

failing which the matter be listed again under the appropriate

heading for necessary action.

Heard learned counsel for the petitioners and the
learned APP for the State.

Petitioners seek regular bail in connection with S.T.
No.61/21 arising out of Birpur P.S. Case No. 200 of 2020
registered for the offences punishable under Sections
302/120B/201/379/34 of the Indian Penal Code.

As per the prosecution, the informant alleged that his
son was murdered by the FIR named accused and co-accused



persons.

The main submissions advanced by the learned counsel Mr. Arun for the petitioners are that the petitioners are not named in the FIR, they were never seen with the deceased at any time during the relevant period of the alleged occurrence and against them, there is no direct or indirect evidence to connect them to the alleged occurrence of murder and they have been languishing in jail since 24.09.2020. Further submission is that two co-accused persons namely Md. Naushad and Md. Sadir carrying similar nature of allegation have been granted regular bail by this Court vide order passed in Cr. Misc. No.44980 of 2021.

Learned APP Mr. Dinesh Singh appearing for the State has opposed the bail prayer.

Having considered the above submissions and also considering the petitioners' custody period and the stage of their trial as appears from order of the court below which goes to show that six prosecution witnesses have been examined in the case of the petitioners, in the opinion of this Court a lenient approach can be taken in respect of the petitioners' prayer, let the petitioners be released on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) each with two sureties of the like



amount each to the satisfaction of the concerned Court in connection with S.T. No.61/21 arising out of Birpur P.S. Case No. 200 of 2020.

(Shailendra Singh, J)

Sanjay/-

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