

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41014 of 2022

Arising Out of PS. Case No.-47 Year-2022 Thana- DEO District- Aurangabad

RAJESH GOSWAMI son of Late Kail Goshwami Resident of Mohalla -
Mallah tola, Deo, P.S.- Deo, District - Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 44764 of 2022

Arising Out of PS. Case No.-47 Year-2022 Thana- DEO District- Aurangabad

PRAMOD BHUIYAN Son of Lakhan Bhuiyan Resident of Village -
Baluganj, P.S.- Dhibra, District - Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 46501 of 2022

Arising Out of PS. Case No.-47 Year-2022 Thana- DEO District- Aurangabad

MD. FIROZ ALAM @ FIROJ ALAM S/O LATE BASARAT HUSAIN @
MD. BASHARAT HUSIAN Resident of village- Chauriya, P.S.- Dibra,
District- Aurangabad (Bihar).

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 41014 of 2022)
For the Petitioner/s : Mr.Pramendra Kumar Singh
For the Opposite Party/s : Mr.Sanjay Kumar Tiwary
(In CRIMINAL MISCELLANEOUS No. 44764 of 2022)
For the Petitioner/s : Mr.Amit Anand
For the Opposite Party/s : Mr.Shailendra Kumar
(In CRIMINAL MISCELLANEOUS No. 46501 of 2022)
For the Petitioner/s : Mr.Bhaskar Shankar
For the Opposite Party/s : Mr.Rabindra Kumar



CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 09-01-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioner has prayed for bail in a case instituted for the offence under Sections 302, 120(b) and 34 of the Indian Penal Code.

As per allegation in the FIR, husband of the petitioner had gone in a mela for purchasing legs of cot but he did not return to his house. During search her wife found his dead body lying in Aahar Pain and then the present FIR against unknown.

It is submitted by learned counsel for the petitioners that they have committed no offence. During investigation, it has come that there was love affair between the informant and petitioner Firoz Alam. On the basis of self confessional statement of the petitioners, their names have been dragged in the present case and apart from this, nothing has come against them. Only on the basis of suspicion, they have been falsely implicated in the present case. Petitioners are not named in the FIR. There is no consistent or direct evidence against the petitioners. Petitioners are in custody since 18.03.2022.

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



that petitioners are involved in killing of informant's husband to which they have confessed in their confessional statement.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) each with two sureties of the like amount each to the satisfaction of the learned CJM, Aurangabad in connection with Deo P.S. Case No. 47 of 2002.

(Sunil Kumar Panwar, J)

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