

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56285 of 2023

Arising Out of PS. Case No.-342 Year-2022 Thana- NARPATGANJ District- Araria

1. Md. Mahfooj @ Mafuj Alam @ Md. Mahfooj Alam @ Mahfooz S/O Late Akhtar Resident Of Village- Ghurna Bazar Laheri Tola Ward No. 9, P.S. Ghurna (Narpatganj) District- Araria
2. Noor Jahan @ Nurjaha Khatoon W/O Mahfooj @ Mafuj Alam Resident Of Village- Ghurna Bazar Laheri Tola Ward No. 9, P.S. Ghurna (Narpatganj) District- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shive Kumar, Advocate
For the Opposite Party/s : Mr. Rajiv Nayan, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 06-10-2023 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. The petitioners seek regular bail in connection with Narpatganj P.S. Case No. 342 of 2022 registered for the offence under Section 304B/34 of the I.P.C.

3. Earlier the prayer for bail of the petitioners was rejected vide order dated 15.02.2023 passed in Cr. Misc. No.56159 of 2022.

4. Learned counsel for the petitioners submits that it is a case under Section 304B/34 of the Indian Penal Code. The petitioners are the Bhaisur and Gotni of the deceased. They were residing with their separate establishment since beginning.



The counsel submits that the further development after rejection took place that charge has been framed against the petitioners on 02.05.2023. Counsel for the petitioners submits that petitioners are ready to support in the trial in every manner.

5. Learned counsel for the State opposes the prayer for bail but submits that the petitioners are Bhaisur and Gotni of the deceased.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioners, above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria, in connection with S.T. No.573 of 2022 arising out of Narpatganj P.S. Case No.342 of 2022, subject to the following conditions:

(i) one of the bailor should be the family member of the petitioners who shall provide official document to show his *bona fide*;

(ii) the petitioners shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bonds by the Trial Court itself;



(iii) the petitioners shall appear before the concerned police station every month for one year to mark attendance;

(iv) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of the bail bonds; and

(v) the petitioners shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Dr. Anshuman, J)

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