

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70404 of 2022

Arising Out of PS. Case No.-296 Year-2022 Thana- JOKIHAT District- Araria

1. MD. GULFARAZ Son of Late Md. Qutoob Uddin @ Late Md. Kutubuddin Resident of Kursail, Ward no. 3, Road marg Tola, P.O- Kursail, P.S- Jokihat (Mahalgaon), Dist- Araria
2. Ata Hasan @ Md. Ata Hussain Son of Late Rajjak @ Late Abdul Razzaque Resident of Kursail, Ward no. 3, Road marg Tola, P.O- Kursail, P.S- Jokihat (Mahalgaon), Dist- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjeet Choubey
For the Opposite Party/s : Mr.Jitendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 21-03-2023 Heard learned counsel for the petitioners learned counsel for the informant and learned APP for the State.

The petitioner has prayed for bail in a case instituted for the offence under Sections 302, 201, 120-B/34 of the Indian Penal Code.

As per allegation in the FIR, when informant's elder brother has not returned from his hardware shop, a search was made by his family members. During search, they found that after killing informant's brother by slitting his throat, miscreants have thrown his dead body in a pit and his motorcycle and slipper were also scattered there.

It is submitted by learned counsel for the petitioners



that petitioners have been falsely implicated in this case. They have committed no offence. Only on the basis of suspicion, their names have been dragged in the present case. By applying force, police took their signatures on white blank papers to which later on, police party manufactured as self confessional statement. No specific allegation of overt act is against the petitioners. No one has seen the occurrence. Petitioners are languishing in judicial custody since 30.09.2022.

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

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, Araria in connection with Jokihat (Mahalgaon) P.S. Case No. 296 of 2022.

(Sunil Kumar Panwar, J)

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