

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70529 of 2022

Arising Out of PS. Case No.-287 Year-2022 Thana- WARISNAGAR District- Samastipur

MD. IRFAN Son of Md. Ishtayak @ Md. Istiyak Resident of Village - Gohi
Naya Tol, P.S. - Warisnagar, District - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijay Bhushan Prasad

For the Opposite Party/s : Mr.Sanjay Kumar Singh

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

3 19-04-2023 Heard learned counsel for the petitioner as well as

learned APP for the State.

In this case, the petitioner is seeking regular bail in
connection with Warisnagar P.S. Case No. 287 of 2022,
registered for the offences punishable under Sections 302/34 of
the Indian Penal Code.

As per allegation, father-in-law, mother-in-law,
husband and sister-in-law of the deceased committed her
murder, by inflicting road, *lathi* and knife blows.

The learned counsel for the petitioner has submitted
that the petitioner is innocent and has falsely been implicated.
By drawing my attention towards paragraph No. 8 of the case
diary which contains the statement of Md. Injamamul aged



about 8 years, the son of the deceased, the learned counsel for the petitioner has submitted that he has stated categorically that when the deceased was cleaning her house, the grandfather of this witness, who is father-in-law of the deceased in drunken condition badly assaulted his mother with *lathi* and knife blows, he also chased this witness but he fled away and saved his life.

On the other hand, the learned APP has fairly conceded that the son of the deceased has stated that it was Md. Istiyak, father-in-law of the deceased who killed the deceased by inflicting *lathi* and knife blows.

Considering the above-mentioned facts and circumstances, let the petitioner above-named be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned learned Additional Chief Judicial Magistrate, Samastipur in connection with Warisnagar P.S. Case No. 287 of 2022, subject to the following conditions:-

(i) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

(ii) If the petitioner is found involved in future in the similar type of offence, the prosecution will have liberty to



file an application before the court below for cancellation of the
bail of the petitioner and the learned court below will take
decision in accordance with law.

(Nawneet Kumar Pandey, J)

SONALI/Sudha

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