

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75190 of 2022

Arising Out of PS. Case No.-186 Year-2022 Thana- AMAUR District- Purnia

Farukh Son Of Late Rakib Resident Of Village - Dalmaipur, P.S.- Amour,
District - Purnia

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. N.K. Agrawal, Sr. Adv. Mr. Arvind Kumar, Adv. Mr. Kumar Rajdeep, Adv.
For the Opposite Party/s :	Mr.Pawan Kumar Chaurasia, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 05-04-2023 Heard learned counsel for the petitioner, informant
and learned Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 302/34 of the Indian Penal Code.

Petitioner along with co-accused persons named in the FIR are said to have committed murder of the husband of the informant due to previous dispute.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He submits that the deceased was a heart patient and he died due to heart attack. He submits that in postmortem report, doctor has opined that cause of death is due to cardiac arrest. He further submits that petitioner has no criminal antecedent as



stated in para-3 of this application.

Learned APP for the State and learned counsel for the informant oppose the prayer for bail and submit that the witnesses in para-6, 7, 8, 9 and 10 of the case diary have supported the prosecution case.

Considering the facts and circumstances of the case and the fact that the postmortem report has not supported the prosecution case, let the above named petitioner in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Amour P.S. Case No. 186 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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