

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11080 of 2023

Arising Out of PS. Case No.-265 Year-2022 Thana- BAISI District- Purnia

ANJUM @ ANJUM ADIL @ ANJUM ADHIL S/o Fayque Alam R/o Village-
Terabari, P.S.- Baisi, Distt- Purnia.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 1450 of 2023

Arising Out of PS. Case No.-265 Year-2022 Thana- BAISI District- Purnia

AKIL @ AKIL AHMAD S/o Abu Jafar R/o Village- Tarabari, P.O.- Asja
Mobaiya, P.S.- Baisi, District Purnia.

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 11080 of 2023)

For the Petitioner/s : Mr.Devashish Giri

For the Opposite Party/s : Mr.Mohammad Sufyan

(In CRIMINAL MISCELLANEOUS No. 1450 of 2023)

For the Petitioner/s : Mr.Devashish Giri

For the Opposite Party/s : Mr.Ram Sevak Choudhary

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 11-07-2023 Heard learned counsel for the petitioners, learned
counsel for the informant and learned APP for the State.

The petitioner has prayed for regular bail in a case
registered for the offence punishable under sections 302,
120(B), 379/34 of the Indian Penal Code.

As per prosecution case, it is a case of double murder
and the accusation against the petitioners is of assaulting the
deceased Monazir by means of Sword and iron rod after



hatching conspiracy in connivance with other accused persons.

Learned counsel for the petitioners submits that the petitioners are innocent and has committed no offence. The informant is not an eye-witness of the alleged incident rather the petitioners have falsely been implicated in this case due to political rivalry. From perusal of FIR as well as case diary, it appears that the allegation has been made against these petitioners of assaulting on head and chest of deceased Monazir by means of sword & Iron rod but postmortem report as contained in Annexure-4 shows that no corresponding injury has been found on the chest of the Monazir (deceased). General and omnibus allegation of assaulting leveled against these petitioners. It is further submitted that other co-accused namely, Jahangir Ashraf has already been granted bail by this Court vide order dated 19.5.2023 passed in Cr. Misc. No. 19476 of 2023, hence the case of these petitioners stands on similar footing of that of the co-accused. It is further submitted that both the petitioners have got no criminal antecedents and languishing in judicial custody since 8.9.2022.

Learned APP appearing for the state and learned counsel for the informant have vehemently opposed the prayer of regular bail.



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 released on bail in connection with Biasi P.S. Case No. 265 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, District- Purnea or concerned Court.

(Sunil Kumar Panwar, J)

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