

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15803 of 2024

Arising Out of PS. Case No.-407 Year-2023 Thana- MADHAURAH District- Saran

Md. Nijamudin SON OF LATE SAUGAT RESIDENT OF VILLAGE-
JODHAULI BATHANA, PS- MARHOWRAH, DIST- SARAN AT CHAPRA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dewendra Narayan Singh, Adv.

For the Opposite Party/s : Mr.Dr.Mrityunjaya Kr.Gautam, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 26-04-2024 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Marhowrah P.S. Case No.407 of 2023 lodged under Sections
302 and 34 of the I.P.C.

3. As per the prosecution case, the F.I.R. has been
lodged against four named accused persons including the
petitioner and allegation is that when accused persons came out
from the house of the informant and saw her, the accused
persons started shivering due to fear. Subsequently, the
informant got her daughter dead, and thereafter, the allegation of
murder has been made in the F.I.R. against the accused persons.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He submits



that after investigation, police has submitted charge-sheet under sections 306 of the I.P.C. and section 302 of the I.P.C. has been removed.

5. Counsel for the petitioner submits that petitioner is in custody since 11.07.2023 having clean antecedent.

6. Counsel also submits that the other co-accused has been granted bail by the Co-ordinate Bench of this Court vide order dated 10.01.2024 passed in Cr. Misc. No.84397/2023.

7. Learned counsel for the State opposes the prayer for bail.

8. Learned counsel for the informant vehemently opposes the prayer for bail and submits that the informant has directly made allegation that the accused persons came out from her house, then they were shivering due to fear, and therefore, she raised strong suspicion rather she has faith that they are involved in killing of her daughter.

9. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate-VIIIth, Saran at Chapra in connection with Marhowrah P.S.



Case No.407 of 2023, subject to the following conditions as laid
down under Section 437(3) of Cr.P.C.

(Dr. Anshuman, J.)

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