

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16875 of 2024

Arising Out of PS. Case No.-960 Year-2023 Thana- MUZAFFARPUR SADAR District-
Muzaffarpur

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1. Mahmood Alam S/o Late Md. Chand R/o Vill - Majhauria, P.S. - Sadar, Dist. - Muzaffarpur
 2. Shahnaj Khatoon @ Sahnaj Bano @ Sahnaj Khatoon W/o Mohammad Alam R/o Vill - Majhauria, P.S. - Sadar, Dist. - Muzaffarpur
 3. Nimmi Khatoon @ Mazda Khatoon D/o Mohammad Alam R/o Vill - Majhauria, P.S. - Sadar, Dist. - Muzaffarpur
 4. Noor Alam S/o Mohammad Alam R/o Vill - Majhauria, P.S. - Sadar, Dist. - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 21005 of 2024

Arising Out of PS. Case No.-960 Year-2023 Thana- MUZAFFARPUR SADAR District-
Muzaffarpur

-
1. Rajda Haque WIFE OF LATE MAHMOODFUL HAQUE RESIDENT OF VILLAGE- MAJHAULIA, PS- SADAR, DISTT- MUZAFFARPUR
 2. NAGMA KHATOON DAUGHTER OF MAHMOOD RESIDENT OF VILLAGE- MAJHAULIA, PS- SADAR, DISTT- MUZAFFARPUR
 3. MD. MAQSOOD ALAM SON OF LATE MD. CHAND RESIDENT OF VILLAGE- MAJHAULIA, PS- SADAR, DISTT- MUZAFFARPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 16875 of 2024)
For the Petitioner/s : Mr.Mazharul Hassan, Advocate
For the Opposite Party/s : Mr.Awadhesh Kumar Singh, APP
For informant : Abhishek Kumar , Advocate
Rashmi Jha, Advocate
Sharad Kumar Verma, Advocate
Sagar Kumar , Advocate
(In CRIMINAL MISCELLANEOUS No. 21005 of 2024)
For the Petitioner/s : Mr. Mazharul Hassan, Advocate
For the Opposite Party/s : Mr. Nityanand , APP



CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 14-08-2024

Re : Cr. Misc. No. 16875 of 2024

Heard learned counsel for the petitioners, informant and the State .

2. Petitioners apprehend their arrest in a case registered for the offence punishable under sections 341 , 323 , 302, 379, 506 and 34 of the Indian Penal Code .

3. The prosecution case , in brief, is that the son of informant, went to his sasural after returning from his duty. On 12.08.2023 at about 1:30 PM , all the F.I.R., accused persons including these petitioners assaulted son of informant and killed him.

4. It is submitted on behalf of the petitioners that informant is not an eye witness to the alleged occurrence and only on suspicion they have been made accused in this case . Petitioner No. 1 is father-in-law , petitioner No. 2 is mother-in-law , petitioner No. 3 is sister-in-law and petitioner No. 4 is brother-in-law of the deceased. As a matter of fact, son of informant performed marriage 15 years ago and since then he was living with his wife and out of the wedlock three children were born . He further submits that son of the informant was



suffering from many disease such as liver problem, lack of blood and other chronic disease . On the day of death when son of informant was seriously ill then his wife and others took him to hospital. During course of investigation, three children of the deceased have also stated that the deceased fell down on the ground and thereafter while being taken to hospital died.

5 . However, learned counsel for the State as well as informant opposed the bail petition and submitted that these petitioners are named in the F.I.R. and there is specific allegation against these petitioners that they along with other co-accused persons committed murder of the deceased.

6 Considering the aforesaid facts and circumstances of the case, in the event of arrest or surrender within six weeks from today, let the petitioners, as named above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate , Muzzafarpur in connection with Sadar P.S. Case No. 960 of 2023 , subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure .

Re : Cr. Misc. No. 21005 of 2024

Heard learned counsel for the petitioners, informant



and the State .

2. Petitioners apprehend their arrest in a case registered for the offence punishable under sections 341 , 323 , 302, 379, 506 and 34 of the Indian Penal Code .

3. The prosecution case , in brief, is that the son of informant, went to his sasural after returning from his duty. On 12.08.2023 at about 1:30 PM , all the F.I.R., accused persons including these petitioners assaulted son of informant and killed him.

4. It is submitted on behalf of the petitioners that informant is not an eye witness to the alleged occurrence and only on suspicion they have been made accused in this case . Petitioner No. 1 is wife of the deceased petitioner No. 2 is uncle of Petitioner No. 1 and petitioner No. 3 is nephew of Petitioner No. 1 of the deceased. As a matter of fact, son of informant performed marriage 15 years ago and since than he was living with his wife and out of the wedlock three children were born . He further submits that son of the informant was suffering from many disease such as liver problem, lack of blood and other chronic disease . On the day of death when son of informant was seriously ill then his wife and others took him to hospital. During course of investigation, three children of the deceased



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(Prabhat Kumar Singh, J)

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