

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29122 of 2024

Arising Out of PS. Case No.-296 Year-2021 Thana- BAIKUNTHPUR District- Gopalganj

1. Phool Mohammad Miya son of Noor Mohammad Miya village- Katalpur Purab Tola Ps- Baikumthpur Dist- Gopalganj
2. Shamshad Hussain @ Shamshad Miya son of Asamat Miya village- Katalpur Purab Tola Ps- Baikumthpur Dist- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binay Kumar Singh

For the Opposite Party/s : Mr.Dilip Kumar No. 1

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 27-06-2024 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in a case in connection with Baikunthpur P.S. Case No. 296 of 2021 dated 08.10.2021 registered for the offence punishable u/ss 341, 323, 504, 506 and 304 of the Indian Penal Code and later on u/s 302 /34 of the Indian Penal Code was added.

3. As per the prosecution case, the petitioners along with the other co-accused persons are alleged to have crushed the body of the informant's mother-in-law by a tractor as a result of which she died during the course of treatment.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this



case. There is no specific allegation against the petitioners. The specific allegations of crushing the informant's mother-in-law is against the co-accused Imamul Miyan. Similarly situated co-accused has already been granted anticipatory bail by the this Court *vide* order dated 30.01.2024 passed in Cr. Misc. No. 84029 of 2023. The petitioners have no criminal antecedent as stated at para 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioners.

6. Considering the aforesaid facts and circumstances of the case, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees Twenty thousand) each with two sureties of the like amount each to the satisfaction of learned court concerned, Gopalganj in connection with Baikunthpur P.S. Case No. 296 of 2021, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

7. This application stands allowed.

(Chandra Prakash Singh, J)

Ranjeet/-

U		T	
---	--	---	--

