

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36095 of 2024

Arising Out of PS. Case No.-375 Year-2023 Thana- CHHATAPUR District- Supaul

1. Gulshan Khatun Daughter Of Md. Jahid Resident Of Village -Mahadipur Ps -Chhatapur District -Supaul
2. Rahna Khatun @ Rahina Khatun Wife Of Md. Jahid Resident Of Village -Mahadipur Ps -Chhatapur District -Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shahid Aqubal, Advocate

For the Opposite Party/s : Mr. Nawal Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 26-06-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend arrest in connection with Chhatapur P.S. Case No. 375 of 2023 dated 23.10.2023, instituted for the offence punishable under Sections 302, 34 of the Indian Penal Code and Section 27 of the Arms Act.

3. The prosecution case, in short, is that, Md. Zahid and Md. Tanveer had taken a loan of Rs. 1.5 lakh and Rs. 20,000/- respectively from the informant in the year 2023. On 22.10.2023, at about 03:00 pm, Md. Tanveer came with motorcycle then the father of the informant asked him to return the loan amount and only then he will be allowed to cut the



paddy crops. After hearing this, Md. Tanveer fired upon him due to which he sustained firearm injury in his chest and back of the body and died on the way to hospital.

4. Learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated in this case. It is further submitted that there is specific allegation against one Md. Tanveer, who is said to have fired upon the father of the informant due to which he sustained fire armed injury in his chest and back of the body. It is next submitted that petitioners were not present at the place of occurrence rather at that time they were somewhere else. It is further stated that informant and petitioners are relatives and there is land dispute between the parties due to which the petitioners have been falsely implicated in this case. Lastly, it has been submitted that the petitioners have no criminal antecedents.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with P.S. Case No. 375 of 2023, they shall be released on anticipatory bail upon furnishing



bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned ACJM-Vth, Supaul subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

Sankalp/-

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