

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39477 of 2023

Arising Out of PS. Case No.-682 Year-2022 Thana- SIWAN CITY District- Siwan

1. MD. SAIF ALI @ MOHAMMAD SAIF ALI Son of Shaukat Ali Resident of village - Ismail Shahid Takiya, P.S. - Sarai O.P., Distt. - Siwan, Bihar
2. Sawed Ali @ Safed Ali @ Sawad Ali Son of Shaukat Ali Resident of village - Ismail Shahid Takiya, P.S. - Sarai O.P., Distt. - Siwan, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prashant Kumar

For the Opposite Party/s : Mr.Md. Ataur Rahman

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 30-01-2024 Heard learned counsel for the petitioners and learned APP
for the State.

2. The petitioners have prayed for bail in a case registered for the offence punishable under Sections 302, 201 and 34 of the Indian Penal Code.

3. Allegation against the petitioners along with other accused persons is of abducting and killing the husband of the informant.

4. Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have committed no offence. The F.I.R. has been lodged after the delay of 5 days without any plausible explanation. The informant does not appear to be an eye witness to the alleged occurrence. There is no specific overt act has been alleged against the petitioners. The informant has only



raised suspicion against altogether 10 persons. It is further submitted in para 11 and 12 of the petition that death of the informant's husband took place due to vehicular accident but the petitioners have been falsely implicated in this case out of suspicion and for the reason that they had lodged a case Siwan Town P.S. Case No. 674 of 2022 against the informant's husband and three others for killing their father during a wedding feast. A statement has been made in para 3 of the petition that petitioners have no criminal antecedent. Petitioners are languishing in judicial custody since 05.12.2022.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Siwan in connection with Siwan Town P.S. Case No. 682 of 2022.

(Sunil Kumar Panwar, J)

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