

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39178 of 2024

Arising Out of PS. Case No.-73 Year-2024 Thana- ROH District- Nawada

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1. Md. Salam @Abdul Salam S/O Late Md. Chulhai Resident Of Village Roh Mohalla Khalifa Tola P.S. Roh, P.S. Nawada
 2. Mohammad Danish @Mohammad Danish Quraishi @Danish S/O Abdul Salam Resident Of Village Roh Mohalla Khalifa Tola P.S. Roh, P.S. Nawada
 3. Md. Gyas S/O Md. Kalam Resident Of Village Roh Mohalla Khalifa Tola P.S. Roh, P.S. Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.N A Shamsi, Adv.
For the Complainant	:	Mr.Birendra Kumar, Adv.
		Mr.Kumud Kishore, Adv.
For the State	:	Mr.Ram Anurag Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

- 2 10-07-2024 Heard learned counsel for the petitioners, learned counsel for the Complainat and learned Additional Public Prosecutor for the State.
2. Petitioners apprehend their arrest in a case registered for offence punishable u/s 323, 341, 306, 504 and 506/34 of IPC.
3. As per the F.I.R., husband of the complainant had taken loan from petitioner no.1 and there was dispute in payment of loan amount and its interest. Regular reminder was given by the accused persons for payment of interest as well as loan. It is alleged that due to non payment, they used to abuse the husband of the complainant and a complaint was received that husband



of the complainant has died in rail accident. It is alleged that due to the physical and mental torture given by the accused persons, the husband of the complainant committed suicide.

4. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case due to ulterior motive. It is submitted that earlier an U.D. case has been filed on 25.06.2023 regarding the recovery of deadbody of the complainant's husband and thereafter, the complaint case was filed on 19.07.2023 by the wife of the deceased after delay of about a month, which itself creates doubt about the prosecution case. Petitioner nos.1 and 2 have two criminal antecedent and petitioner no.3 has one criminal antecedent.

5. Learned APP for the State as well as learned counsel for the complainant opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case, considering the delay in lodging the complaint case and considering that an U.D. case was already filed for death of the deceased by rail accident, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty



Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Roh P.S. Case No.73 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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