

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39532 of 2024

Arising Out of PS. Case No.-214 Year-2024 Thana- MAJHAULIA District- West Champaran

Masoom Raja @ Samir Ali Son of Mohammad Ikram Ali R/o- vill- Mahanwa
Rampurwa, Ward no -14, P.S- Majhauria, Dist- West Champaran

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

with
CRIMINAL MISCELLANEOUS No. 39917 of 2024

Arising Out of PS. Case No.-214 Year-2024 Thana- MAJHAULIA District- West Champaran

Rayada Khatoon Wife of Mohammad Ikram Ali R/O Vill.- Mahanpurwa
Rampurwa, Ward no. 14, P.S.- Majhauria, Dist.- West Champaran

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :
(In CRIMINAL MISCELLANEOUS No. 39532 of 2024)
For the Petitioner : Mr. Sharad Kumar Verma
For the Opposite Party : Mr. Rajendra Prasad Nat
For the Informant : Mr. Yugal Kishore
(In CRIMINAL MISCELLANEOUS No. 39917 of 2024)
For the Petitioner : Mr. Sharad Kumar Verma
For the Opposite Party : Mr. Rajendra Prasad Nat
For the Informant : Mr. Yugal Kishore

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 05-10-2024 Heard learned counsel for the petitioners,

learned counsel for the informant and learned APP for the

State.

2. The petitioners have preferred this application

for grant of regular bail in connection with Majhauria P.S



Case No. 214/2024 dated 27.03.2024 registered for the offence punishable u/s 302 and 120B read with Section 34 of the Indian Penal Code.

3. As per the prosecution case, the informant's younger brother Shamshad Alam had gone to play cricket. While playing cricket, he came to know that Sonu Ali alias Arshad of the village sent Shamshad's photo to someone to kill him. On this matter, on 26.03.24, the informant's younger brother Shamshad Alam went to ask Sonu Ali to whom you have sent my photo to get me killed. On this matter, the co-accused Sonu Ali said to go to the dam, then he would tell you. Saying this, Sonu Ali and the petitioners started taking Shamshad Ali to the dam, in the meantime, the petitioner Masoom Raza and his mother Rayada Khatoon caught hold of the informant's brother and the co-accused Sonu Ali took out a knife from his pocket and started stabbing the informant's brother on his back, waist and stomach. On hearing the voice of his brother, the informant rushed to the spot and with the help of the villagers took him to the Primary Health Center Majhauriya for treatment from where he was referred to Bettiah M.J.K.



Hospital, where the informant's brother succumbed to the injury. Thereafter, with the help of the villagers the dead body of his brother was brought to Majhauriya Police Station.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. The petitioner no. 2 is a lady. Learned counsel has submitted that the allegation against the petitioners is of holding the deceased. The specific allegation of inflicting knife blow is against the co-accused, Sonu @ Arshad. The petitioners have clean antecedent as stated in para 3 of the bail petition. The petitioners are in custody since 27.03.2024

5. Learned A.P.P. for the State as well as learned counsel for the informant have vehemently opposed the bail petition of the petitioners. As per the Post Mortem Report, the cause of death is due to haemorrhage and shock caused by sharp object.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioners above-named, are directed to 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, West Champaran at Bettiah, in connection with Majhulia P.S Case No. 214/2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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