

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52908 of 2024

Arising Out of PS. Case No.-23 Year-2024 Thana- MAHALGAON District- Araria

-
1. Reshma Khatoon @ Reshma W/o Md. Maswood Alam @ Md. Masood R/o vill - Kursail, ward no. 7, P.S. - Mahalgaon, Dist. - Araria
 2. Rubeda @ Bibi Rubeda @ Bibi Rubedi W/o Shoaib R/o vill - Kursail, ward no. 7, P.S. - Mahalgaon, Dist. - Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gopal Kumar Jha, Advocate
For the Opposite Party/s : Mr. Nirmala Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 23-10-2024 Heard learned counsel for the petitioners, learned counsel for the informant and the learned APP for the State.

2. The petitioners are in custody in connection with Mahalgaon P.S. Case No. 23 of 2024 for the offence under Sections 302, 120(B) of the Indian Penal Code lodged on 29.04.2024 by the informant, Md. Shohrab.

3. As per the prosecution story, the informant alleged that the son who was a Veterinary Practitioner, went out on bicycle but failed to return. Upon search, it was informed by a lady, Bibi Nausar that she has seen the son going towards Karhara village in the evening. Later upon search, the bicycle and the slippers were found whereafter the police was informed. The dead body was found hanging from a tree which finally led to the F.I.R.



4. In this case, the co-ordinate Bench had called for the case diary which has come and learned APP has straight away taken this Court to the supervision note of the Dy.S.P., Araria according to which some locals namely, Abdul Samad, Md. Imtiyaz, Md. Soyab as also Md. Munna were found to have used the ladies as pawns to bring the outsider at that place and ultimately, it resulted into the killing of the son of the informant. In the supervision note, there is description of three more killings that took place earlier.

5. The petitioner no. 1 is 25 years old while the petitioner no. 2 is 56 years old, both are ladies, the name of the aforesaid four accused have been incorporated in the supervision note, it seems they are the main culprits, do not have criminal antecedent, it has been undertaken that they will be diligently appearing in the trial, as stated above, main allegation is against Abdul Samad, Md. Imtiyaz, Md. Soyab and Md. Munna, they are in custody since 30.4.2024 (para-13 of the petition), this Court is inclined to extend them the privilege of bail with conditions.

6. Let the petitioners be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria, in connection with Mahalgaon P.S. Case No. 23 of 2024 subject to the following conditions:



(i) one of the bailor should be the family member/relative of the petitioners who shall provide official document to show his bona fide;

(ii) the petitioners shall appear on each and every date before the Trial Court and the failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial Court itself;

(iii) the petitioners shall appear before the concerned police station every fortnight for next six months to mark their attendance;

(iv) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of bail bond.

(v) the petitioners shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Rajiv Roy, J)

Amandeep/-

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

