

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63901 of 2024

Arising Out of PS. Case No.-18 Year-2024 Thana- PATEPUR District- Vaishali

1. Md. Rustam Son of Md. Shaukat Ali @ Shaukat Ali @ Md. Sorwat Village -Pokhra, Ward no. 13, (Malpur),P.S. -Patepur, District -Vaishali
2. Md. Shaukat Ali @ Shaukat Ali @ Md. Sorwat Son of Salim @ Md. Salim @ Rudi Miyan Village -Pokhra, Ward no. 13, (Malpur),P.S. -Patepur, District -Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Vasant Vikas, Advocate
For the State	:	Mr. Nand Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 06-12-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

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

3. As per prosecution case, the informant suspects that all the F.I.R. named accused persons, including these petitioners, committed murder of the son of the informant for the reason that the son of the informant was in love with one Mussarat Khatoon, for which Patepur P.S. Case No. 01 of 2024 was lodged.

4. It is submitted by learned counsel for the petitioners



that petitioner are innocent and have falsely been implicated in this case. Petitioner No. 1 is son of Petitioner No. 2 and Petitioner No. 2 is not named in the F.I.R.. Name of Petitioner No. 2 has transpired int his case on the basis of restatement of the informant. As a matter of fact, there was love affair between son of informant and daughter of Petitioner No. 2, namely Mussarat Khatoon, for which a case bearing Patepur P.S. Case No. 1 of 2024 was lodged by the petitioner against the deceased and his family members regarding kidnapping of Mussarat Khatoon and in retaliation, this false and concocted case has been lodged. Petitioners have got no criminal antecedents and they are in custody since 19.01.2024. Moreover, charge-sheet has already been submitted.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners.

6. Considering the aforesaid facts and circumstances of the case, rival submissions, nature of accusation, period of custody and clean antecedents of the petitioners, the prayer for grant bail of to the petitioners is allowed.

7. Accordingly, let the above named petitioners be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the



satisfaction of learned Chief Judicial Magistrate, Vaishali at
Hajipur, in connection with Patepur P.S. Case No. 18 of 2024.

(Prabhat Kumar Singh, J)

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