

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67780 of 2024

Arising Out of PS. Case No.-960 Year-2023 Thana- MUZAFFARPUR SADAR District-
Muzaffarpur

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1. Md. Sajeed S/o MD. Chand R/o vill - Majhauri Khetal, P.S. - Sadar, Distt. - Muzaffarpur
 2. Afsana Khatoon W/o Md. Sajeed R/o vill - Majhauri Khetal, P.S. - Sadar, Distt. - Muzaffarpur
 3. Md. Shahid S/o Md. Sajeed R/o vill - Majhauri Khetal, P.S. - Sadar, Distt. - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Ranjan, Advocate
For the Opposite Party/s : Mr. Murli Dhar , APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 27-09-2024 Heard learned counsel for the petitioners and the

State .

2. Petitioners apprehend their arrest in a case registered for the offence punishable under sections 341 , 323 , 302, 379, 506 and 34 of the Indian Penal Code .

3. The prosecution case , in brief, is that the son of informant, went to his sasural after returning from his duty. On 12.08.2023 at about 1:30 PM , all the F.I.R. named accused persons including these petitioners assaulted son of informant and killed him.

4. It is submitted on behalf of the petitioners that



informant is not an eye witness to the alleged occurrence and only on suspicion they have been made accused in this case . Petitioner No. 1 is brother of father-in-law of the deceased petitioner No. 2 is wife of Petitioner No. 1 and petitioner No. 3 is son of Petitioner No. 1 . As a matter of fact, son of informant performed marriage 15 years ago and since then he was living with his wife and out of the wedlock three children were born . He further submits that son of the informant was suffering from many disease such as liver problem, lack of blood and other chronic disease . On the day of death when son of informant was seriously ill then his wife and others took him to hospital. During course of investigation, three children of the deceased were examined before I. O and they have categorically stated that the deceased fell down on the ground and thereafter while being taken to hospital he died. Similarly situated co-accused persons have already granted bail by this Court vide order dated 14.08.2024 in Cr. Misc. No. 16875 of 2024 and Cr. Misc. No. 21005 of 2024 .

5 . However, learned counsel for the State opposed the bail petition .

6 Considering the aforesaid facts and also the fact that similarly situated co-accused persons with similar



allegations have already been granted bail by this Hon’ble Court and other circumstances of the case in the event of arrest or surrender within six weeks from today, let the petitioners, as named above, be enlarged 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 the learned Chief Judicial Magistrate , Muzzafarpur in connection with Sadar P.S. Case No. 960 of 2023 , subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure .

(Prabhat Kumar Singh, J)

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