

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71192 of 2024

Arising Out of PS. Case No.-323 Year-2023 Thana- GAURICHAK District- Patna

Md. Ahshan @ Md. Ehsaan S/o Md. Basher @ Kalandar R/o
Village/Muhalla- Mirzapur Bardhay, P.S.- Muffasil, District- Munger
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjiv Kumar Singh
For the Opposite Party/s : Mr.Choubey Jawahar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 19-12-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in a case registered for
offence under Sections 302, 120B/34 of the Indian Penal Code.

3. As per prosecution case, on 24.05.2023 at about
8:30 AM, husband of the informant went to Patna for earning
with some co-villagers, including this petitioner. Thereafter, on
25.05.2023 at about 8:30 AM, the informant received a call on
her mobile phone that her husband has died. Then, at about 4:30
PM, dead body of husband of informant was brought by one
Ranjit Ram, who is driver of an ambulance, and during enquiry
the informant came to know that while doing some electrical
work at the house of one Deepak Singh, her husband died.

4. Learned counsel for the petitioner submits that
from bare perusal of the F.I.R. it is apparent that informant is not



an eye witness of the alleged occurrence and only suspicion has been raised against this petitioner. Moreover, during course of investigation, it has come that husband of informant died due to electric shock while doing some electrical work at the house of one Deepak Singh. Even the medical report does not corroborate the prosecution case. Similarly situated co-accused Md. Badruddin @ Chunno has been granted anticipatory bail by this Court, vide order dated 06.08.2024 passed in Cr.Misc. No. 32996 of 2024 (Annexure – 2). Petitioner is in custody since 16.12.2023. Chargesheet has been submitted.

5. Learned A.P.P. for the State vehemently opposed the bail petition.

6. Considering the aforesaid facts and circumstances, let the above named petitioner be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. - VI, Patna City, Patna in connection with Gaurichak P.S. Case No. 323 of 2023.

(Prabhat Kumar Singh, J)

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