

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76513 of 2023

Arising Out of PS. Case No.-271 Year-2022 Thana- MUNGER MUFFASIL District- Munger

Shahista Khatoon @ Shahista Praveen W/O Md. Amim Iqbal @ Babloo R/O
Village- Muhalla- Chakasim, Ps. Muffasil, Dist.Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 84393 of 2023

Arising Out of PS. Case No.-271 Year-2022 Thana- MUNGER MUFFASIL District- Munger

MD. AMIM EKBAL @ BABLOO Son of Late Md. Alim Resident of Village
- Chakasim, Police Station - Muffasil, District - Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 76513 of 2023)

For the Petitioner/s : Mr.Sanjiv Kumar Singh

For the Opposite Party/s : Mr.Uday Chand Prasad

(In CRIMINAL MISCELLANEOUS No. 84393 of 2023)

For the Petitioner/s : Mr.Sanjiv Kumar Singh

For the Opposite Party/s : Mr.Vinod Shanker Modi

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 27-02-2024 Heard learned counsel for the petitioners, learned APP
for the State and learned counsel for the informant.

The petitioners have prayed for grant of bail in
connection with Muffasil P.S. Case No. 271 of 2022 registered
under sections 302 and 120(B) of the Indian Penal Code and
Section 27 of the Arms Act.



Allegation against the petitioners along with other co-accused persons is that they committed murder of the informant's husband.

Learned counsel for the petitioners submits that the petitioner are innocent and have committed no offence. They have falsely been implicated in this case merely on suspicion. The informant is not an eye witness of the alleged occurrence. It is further submitted that as per the statement of the informant recorded under Section 164 of the Cr.P.C. wherein she stated that one co-accused Shabbir had shot her husband. Nothing specific allegation has been levelled against the petitioners in respect of commission of murder of the informant's husband rather general and omnibus allegation has been attributed against them. It is also submitted from para-11 of this petition that during the course of investigation, the brother and sister of the deceased have been examined and they have stated in para-10 to 12 of the case diary that the deceased was called by accused persons on phone whereas the informant herself disclosed in F.I.R. that all the accused persons had come at her house and called her husband which creates doubt on prosecution version. Co-accused Shabbir has already been granted bail by this Court vide order dated 04.09.2023 in Cr.



Misc. No. 17475 of 2023. A statement has been made in para-3 of these petitions that the petitioners have got no criminal antecedent. Moreover, they are languishing in judicial custody for more than six months.

The application for bail is opposed by learned APP for the State and learned counsel for the informant and submitted that petitioners are named in FIR.

Having heard learned counsel for the parties and considering the facts and circumstances of this case and petitioner No.1 being a lady as well as the custody of the petitioners, the Court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail in connection with Muffasil P.S. Case No. 271 of 2022 on each of them furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Munger.

(Sunil Kumar Panwar, J)

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