

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85528 of 2023

Arising Out of PS. Case No.-296 Year-2022 Thana- AMAUR District- Purnia

1. Irfan son of Md. Yunush Resident of Village- Bahura, P.S.- Amour District- Purnia
2. Helal @ Helaluddin son of Idrish Resident of Village- Bahura, P.S.- Amour District- Purnia

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K. Agrawal, Sr. Advocate Mr. Dr. Bidhu Ranjan, Advocate Ms. Diksha Kumari, Advocate
For the Opposite Party/s :		Mr.Ajit Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 24-01-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. In the present case, the petitioners are apprehending their arrest in connection with Amour P.S. Case No. 296 of 2022, registered on 07.10.2022 for the offences under Sections 147, 149, 498A, 494, 324, 307 of the Indian Penal Code. Subsequently, Section 302 IPC was also added after death of the victim.

3. As per prosecution case, the sister of the informant was stabbed to death by her husband co-accused Md. Shamim. The informant named the petitioners apart from five others for being involved in the said occurrence.



4. Learned senior counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. The petitioners are resident of same village having no common roof with co-accused Md. Shamim. From the FIR it is apparent that the specific allegation of stabbing the deceased is against co-accused Md. Shamim and there is no specific allegation against the petitioners. Learned senior counsel further submits that the petitioners are not related with the husband of the deceased and they have been implicated in this case with ulterior motive. The petitioners have got no criminal antecedent.

5. Learned APP opposes the submission made on behalf of the petitioners. Learned APP submits that the petitioners have been named in the FIR for being involved in killing the sister of the informant.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the vague nature of allegation against the petitioners and further considering the possibility of false implication, let the petitioners above named, in the event of their arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of



Rs.20,000/- (Rupees Twenty Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Purnea/concerned court in connection with Amour P.S. Case No. 296 of 2022, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions :

(i) One of the bailors will be a close relative of the petitioners.

(ii) The petitioners will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

DKS/-

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

