

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86616 of 2023

Arising Out of PS. Case No.-351 Year-2023 Thana- KOTWALI District- Munger

Md Irshad @ Mister S/o- Md. Shamshul R/o Vill- Daulatpur, P.S- Dalsingh Sarai, Dist- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 6691 of 2024

Arising Out of PS. Case No.-351 Year-2023 Thana- KOTWALI District- Munger

Shivani Kumari Wife of Late Prem narayan Singh Resident of village Brahamsthan Purabsarai PS Purabsarai (Kotwali), District - Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 86616 of 2023)
For the Petitioner/s : Mr. Sanjiv Kumar Singh
For the Opposite Party/s : Mr. Sanjay Kumar Singh
(In CRIMINAL MISCELLANEOUS No. 6691 of 2024)
For the Petitioner/s : Mr. Chandra Shekhar Sharma
For the Opposite Party/s : Mr. Arvind Kumar Pandey (App.84)

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 19-04-2024 Heard learned counsel for the petitioners and

learned APP for the State.

2. The petitioners have prayed for regular bail in a case registered for the offence punishable under sections 302/34 and 120(B) of the Indian Penal Code and Section 27 of the Arms Act.



3. As per FIR, husband of the informant left his house to I.T.C. Factory for his job. In the meantime informant received message that some unknown miscreants have killed her husband. Informant rushed towards place of occurrence and found her husband lying on the pool of blood on road and during treatment, he died.

4. In course of investigation of the case, informant of this case has been made accused and she is petitioner in this case.

4. Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have committed no offence. Petitioner Irshad had given his motorcycle to one Raju for doing his own business but with ulterior attitude Raju had given his motorcycle to other accused persons for killing the deceased. During investigation, informant (Shivani Kumari) has been made an accused of this case only on the basis of suspicion. No one is the eye witness of the alleged occurrence and during investigation no consistent evidence has been collected against the petitioners. It is further submitted that petitioners are languishing in judicial custody since 12.08.2023.

5. Learned APP appearing for the State has



vehemently opposed the prayer of Bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as judicial custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Kotwali Purabsarai P.S. Case No. 351 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Munger.

(Sunil Kumar Panwar, J)

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