

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6605 of 2024

Arising Out of PS. Case No.-237 Year-2022 Thana- BAIRIYA District- West Champaran

1. Nasruddin Miyan S/O Nabijan Miyan @ Navijan Miyan Resident Of Village - Sirisiya, Mathiya, Ps - Bairiya, District - West Champaran
2. Muslim Mian @ Muslim Miyan Son Of Nabijan Miyan @ Navijan Miyan Resident Of Village - Sirisiya, Mathiya, Ps - Bairiya, District - West Champaran

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners :Mr.Setu Prateek, Advocate

For the Opposite Party :Mr.Kumar Veerendra Narayan, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 02-04-2024 Heard learned counsel for the petitioners and the State.

2. Petitioners apprehend arrest in a case registered for the offence punishable under sections 364, 384, 389, 201/120B of the Indian Penal Code.

3. As per the prosecution case, on 15.06.2016 all the FIR named accused persons including these petitioners, by making criminal conspiracy, took the brother of the informant to Gurgaon and killed him.

4. Learned counsel for the petitioners submits that these petitioners are full brother of the wife of deceased and they have falsely been implicated in this case on the basis of suspicion. Earlier, sister of the petitioners had filed a case under section 498A of the IPC against her in-laws and in retaliation



this case has been lodged. F.I.R. has been lodged after inordinate delay of three years without any explanation which renders the entire prosecution case doubtful.

5. Considering the aforesaid facts of the case, prayer for bail of all the petitioners is allowed. In the event of arrest/surrender within six weeks from today, let these petitioners, mentioned 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 Additional Chief Judicial Magistrate III, Bettiah, West Champaran in Bairiya Police Station Case No. 237 of 2022, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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