

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31339 of 2025

Arising Out of PS. Case No.-37 Year-2024 Thana- GARVANDANGA District- Kishanganj

1. Md Akil, son of Md Ishak, R/o Village- Samla Bhatta, P.S.- Thakurganj, Dist- Kishanganj
2. Noor Mohammad @ Banu, Son of Late Nizamuddin, R/o Village- Hazari Johran Gachh, P.S.- Thakurganj, Dist- Kishanganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar, Advocate

For the Opposite Party/s : Mr. Anil Kumar Singh No. 1, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 21-05-2025 Heard Mr. Ram Prawesh Kumar, learned counsel for the petitioners and Mr. Anil Kumar Singh No. 1, learned APP for the State.

2. The petitioners have prayed for bail in connection with Garbandanga P.S. Case No. 37 of 2024 registered for the offence punishable under Sections 103(1) and 61(2) of BNS.

3. The case of the prosecution is that the marriage of the informant's son (deceased) was solemnized with co-accused Batasi Devi. Her son was working in a brick kiln where Batasi Devi used to visit. She developed relationship with co-accused Galib Sadan due to that reason the matrimonial life of the deceased and his wife was quarrelsome. Batasi Devi used to



threaten the deceased. It is further alleged that on 09.11.2024, the informant came to know that her son was lying dead in a pool of blood at national highway. She suspects that Batasai Devi and Galib Sadan have committed the murder of her son.

4. Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have committed no offence. They have been falsely implicated in this case. Their names have surfaced during investigation in the confessional statement of one co-accused Rahid @ Rahid Alam and the name of Rahid has surfaced in the confessional of Batasi Devi. It has also been submitted that Rahid @ Rahid Alam has been granted bail by this Court vide order dated 20.05.2025 in Cr. Misc. No. 31197 of 2025. The main thrust of allegation is against Batasi Devi and Galib Sadan. The case of these petitioners stands on similar footing to the case of Rahid @ Rahid Alam. They are languishing in judicial custody since 11.11.2024.

5. The learned APP for the State has vehemently opposed the application for bail and submitted that both the petitioners are having criminal antecedent of one case.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is



inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Kishanganj in connection with Garbandanga P.S. Case No. 37 of 2024.

(Ashok Kumar Pandey, J)

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