

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77013 of 2024

Arising Out of PS. Case No.-271 Year-2024 Thana- BARHARIA District- Siwan

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1. Safre Alam, Son of Chand Sah @ Chand Sai, Resident of Village- Babhanbara, P.S.- Barharia, District- Siwan
 2. Hamid Raza, Son of Chand Sah @ Chand Sai, Resident of Village- Babhanbara, P.S.- Barharia, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raghav Prasad, Advocate
For the Opposite Party/s : Mr.Umanath Mishra, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

4 24-01-2025 Heard learned counsel for the petitioners and

learned APP for the State.

2. The petitioners have prayed for bail in connection with Barharia P.S. Case No. 271 of 2024 registered for the offence punishable under Sections 302/34 of the Indian Penal Code.

3. The case of the prosecution is that the informant along with her husband Achhaylal has gone to participate in satyasang at Agya Mathiya. As they reached near Babhanbara Bazar, there was blockage on the road due to the fair. At the moment, the petitioners along with other 10 unknown persons arrived there. They started assaulting the driver and the



husband of the informant. The driver called Rudal Bhagat and others to rescue. It is further alleged that the accused persons badly assaulted the husband of the informant and he died on the spot.

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. From perusal of the F.I.R. it is clear that the nature of allegation is general and omnibus. There is no specific allegation against anyone. The allegation is altogether 11 named and 10 unknown persons. From perusal of the postmortem report, it transpires that the doctor has found no external injury on the person of the deceased. Petitioners are languishing in judicial custody since 24.06.2024.

5. The application for bail is opposed by learned APP for the State.

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 Additional Chief Judicial Magistrate-III, Siwan in
connection with Barhariya P.S. Case No.271 of 2024.

(Ashok Kumar Pandey, J)

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