

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68398 of 2024

Arising Out of PS. Case No.-73 Year-2024 Thana- ROH District- Nawada

Md. Aurangzeb @ Md. Aurangzeb Kuraisi @ Aurangzeb Khan Son of Md. Salam Resident of Village- Khalifa Tola, PS- Roh, Distt.- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.N A Shamsi

For the Opposite Party/s : Mr.Madan Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 31-01-2025 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 341, 323, 306, 504 and 506/34 of the Indian Penal Code.

3. As per the F.I.R., the husband of the informant had taken loan from co-accused Md. Salam and there was dispute in payment of loan amount and its interest. Regular reminder was given by the accused person for payment of interest as well as loan. Due to non-payment, they used to torture the husband of the informant physically and mentally. On a fateful day, the informant got information on her mobile that her husband has died in a rail accident. It is further alleged that due to physical and mental torture given by the accused persons, the husband of the informant committed suicide.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. There is admitted land dispute between the parties. He submits that earlier a U.D. case has been filed on 25.06.2023 regarding the recovery of deadbody of the informant's husband and thereafter, the complaint case was filed on 19.07.2023 by the wife of the deceased after delay of about a month, which itself creates doubt about the prosecution case. Similarly situated co-accused have been granted anticipatory bail by this Court vide order dated 10.01.2025 passed in Cr. Misc. No.71738 of 2024 and vide order dated 10.07.2024 passed in Cr. Misc. No.39178 of 2024. Petitioner has two criminal antecedents as mentioned in para-3 of this application.

5. Learned APP for the State opposes prayer for anticipatory bail.

6. Considering the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two



sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Roh P.S. Case No. 73 of 2024, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

anand/-

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