

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72700 of 2024

Arising Out of PS. Case No.-296 Year-2024 Thana- CHAPRA MUFFASIL District- Saran

1. Imteyaz @ Md. Imteyaz @ Imteyaz Alam S/o Azad @ Azad Sah Resident of Village - Badalu Tola, PS- Muffasil, District- Saran
2. Kitabuddin Alam @ Md. Kitabuddin Sah @ Utabddin Sah S/o Azad @ Azad Sah Resident of Village - Badalu Tola, PS- Muffasil, District- Saran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anjani Parashar, Adv.

For the Opposite Party/s : Mr.Ahmad Ali, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

4 03-03-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners have preferred this application for grant of regular bail in connection with Mufassil P.S. Case No. 296 of 2024 dated 23.05.2024 registered for the offences punishable u/ss 302 read with Section 34 of the Indian Penal Code.

3. As per the prosecution case, on 18.05.2024, the elder aunt of the informant namely, Najima Khatoon went to the house of his neighbour in a marriage ceremony and on returning to the house then the petitioners and the co-accused persons having lathi, danda and sword in their hand came there and



started abusing and challenging Najima Khatoon and when she raised objection, all the accused persons started badly assaulting her. The co-accused, Azad Sah assaulted Najima Khatoon with lathi on her head due to which, her head was ruptured and blood started oozing out. When the other family members of the informant came to save her, they were also assaulted by the accused persons due to which they became injured. Neighbour came there and rescued the informant's side. All the injured were taken to the hospital for treatment and during the course of treatment, Najima Khatoon died.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. It is further submitted that the F.I.R. was lodged after seventeen days of the incident and there is no explanation for this delay. There is no specific allegation against the petitioners rather the allegation is general and omnibus in nature. Nothing has been recovered from the conscious possession of the petitioners. The petitioners have no concern with the alleged offence. The petitioners have no criminal antecedent as stated in para 3 of the bail petition. The petitioners are in custody since 04.06.2024.

5. Learned A.P.P. for the State has opposed the bail



petition of the petitioners.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioners above-named, are directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned Court concerned, Saran at Chapra in connection with Mufassil P.S. Case No. 296 of 2024 with the condition :-

(i) The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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