

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73343 of 2024

Arising Out of PS. Case No.-84 Year-2021 Thana- SABAUR District- Bhagalpur

Md. Khurshid S/o- Md. Islam Village- Muslim tola, near masjid, Ps- Sabour,
District - Bhagalpur

... .. Petitioner/s
Versus
The State of Bihar Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 75232 of 2024

Arising Out of PS. Case No.-84 Year-2021 Thana- SABAUR District- Bhagalpur

Shahzada @ Md. Shahzada son of Salauddin @ Md. Salah Uddin village-
Rakabganj, Ps- Tatarpur, Dist- Bhagalpur, At P/A- Village- Sabaur, ps-
Sabaur, Dist- Bhagalpur

... .. Petitioner/s
Versus
The State of Bihar bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 86123 of 2024

Arising Out of PS. Case No.-84 Year-2021 Thana- SABAUR District- Bhagalpur

- 1. Md. Sejam Son of Md. Bajid Resident of Village- Near Masjid, Muslim
Tola, Sabour, P.S.- Sabour, Distt.- Bhagalpur,
- 2. Md. Siddique Son of Md. Muslim Resident of Village- Katiha, P.S.-
Goradih, Distt.- Bhagalpur

... .. Petitioner/s
Versus
The State of Bihar Bihar

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 73343 of 2024)
For the Petitioner/s : Mr.Ranjan Kumar Jha, Advocate
For the Opposite Party/s : Mr.Sunil Kumar Pandey, APP



(In CRIMINAL MISCELLANEOUS No. 75232 of 2024)

For the Petitioner/s : Mr.Rahul Kumar Singh, Advocate

For the Opposite Party/s : Mr.Rajiv Nayan, APP

(In CRIMINAL MISCELLANEOUS No. 86123 of 2024)

For the Petitioner/s : Mr.Ranjan Kumar Jha, Advocate

For the Opposite Party/s : Mr.Lalan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

4 12-02-2025 Since Criminal Miscellaneous No. 75232 of 2024, Criminal Miscellaneous No. 73343 of 2024, and Criminal Miscellaneous No. 86123 of 2024 arise from the same police station case, they are taken up together.

2. Heard learned Counsel for the petitioners and learned APP for the State in all the three cases.

3. The petitioners are apprehending arrest in connection with Sabour P.S. Case No. 84/2021, registered on 26.03.2021 for the offences punishable under Sections 302, 120B of the Indian Penal Code and Section 27 of the Arms Act.

4. According to the prosecution, the F.I.R. has been lodged against 10 named accused persons, including the present petitioners. It is alleged in the F.I.R. that all the accused persons surrounded the informant's husband and killed him by firing a gunshot.

5. Learned counsel for the petitioners in all three cases submits that the petitioners are innocent and have



committed no offence. The antecedents of the petitioners are clean, and they have been made accused in this case maliciously. He further submits that upon conclusion of the investigation, the police submitted final report against all three petitioners, but differing with the final report, the Trial Court has taken cognizance against all three petitioners. He also submits that on earlier occasions, the case diary was called for, and upon perusal of the case diary, it becomes crystal clear that the deceased had a dispute related to land with his tenant, and had no dispute with the petitioners.

6. Learned APP for the State opposes the prayer for bail of the petitioners and submits that the name of the petitioner has been mentioned by both the informant and his son in paragraph 15 of the case diary.

7. In view of the fact that upon conclusion of the investigation, the police have submitted final report, but differing with the final report, the Trial Court has taken cognizance against all the petitioners, let the above-named petitioners be released on bail, in the event of arrest or surrender before the Trial Court within a period of four weeks from today, on furnishing bail bond of ₹30000/- (thirty thousand) each with two sureties of the like amount each to the satisfaction of the



C.J.M., Bhagalpur, in connection with Sabour P.S. Case No.
84/2021, subject to the conditions as laid down under Section
438(2) of the Cr.P.C.

(Dr. Anshuman, J)

Ashwini/-

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