

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.14522 of 2019**

Arising Out of PS. Case No.-439 Year-2018 Thana- BAHERA District- Darbhanga

Md. Rahman, S/o Md. Suleman @ Suleman, Resident of Village- Dherakh,  
P.S.- Bahera, District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Vinay Kumar Mishra, Advocate  
For the Opposite Party/s : Mr. Manish Kumar No2

**CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA**  
**ORAL ORDER**

3      11-04-2019                      Heard learned counsel for the petitioner and learned  
counsel for the State.

Petitioner is accused in connection with Bahera P.S.  
Case No. 439 of 2018 registered under Sections 328, 302 and 34  
of the Indian Penal Code pending in the Court of Additional  
Chief Judicial Magistrate, Benipur, Darbhanga.

Submission of learned counsel for the petitioner is  
that petitioner has falsely been implicated in this case. He is in  
custody since 03.12.2018. Further submission is that the  
petitioner has no criminal antecedent.

Learned A.P.P. appearing on behalf of the State  
opposed the prayer of the petitioner with submission that in  
various paragraphs of the case diary, there is specific allegation  
of murder of the deceased against the petitioner and the



witnesses have also supported the prosecution version.

Having considered the facts and circumstances of the case and nature of allegation, I am not inclined to allow the prayer of the petitioner for bail. Accordingly, this application is rejected.

However, liberty is granted to the petitioner to renew his prayer for bail after framing of charge.

**(Arvind Srivastava, J)**

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