

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17184 of 2019

Arising Out of PS. Case No.-7 Year-2018 Thana- BAGENGOLA District- Buxar

SANJU MUSAHAR @ SANJU MUSHAR Son of Saral Mushar @ Chhotak
Mushar Resident of Village - Ekraasi, P.S.- Bagengola in the District of Buxar
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar

For the Opposite Party/s : Mr.Md. Shakir Ahmad

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 02-04-2019 Heard the learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks regular bail in connection with
Sessions trial no. 147 of 2018 arising out of Bagengola P.S. Case No.
7 of 2018 for the offences punishable under Sections 307, 302 and
other allied Sections of the Indian Penal Code.

The allegation as per the informant is that on 2.3.2014
while he was selling fish and chicken at a shop, his relative had come
there and in the meantime, accused persons including the petitioner
herein had also arrived there, whereafter the accused persons started
abusing the informant and then the said accused persons started
beating him as a result whereof the informant was injured. It is the
the further case of the informant that when his younger brother got
information about the incident, he came and started taking the
informant to the house of Saral Mushar for making complaint,
however, on the way, near the shop of Pintu Yadav, the said accused



persons started beating the brother of the informant and as far as the petitioner is concerned, he is said to have hit the brother of the informant on the left neck by a knife and had inserted the knife, deep inside the left neck resulting in the death of the informant becoming unconscious and subsequently when he was taken to the hospital, he was declared dead.

The learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case and is languishing in custody since 07.03.2018. It is further submitted that the petitioner is having a clean antecedent, hence the petitioner is entitled to grant of regular bail.

I have heard the learned counsel for the parties and perused the materials on record and as per the FIR, the petitioner is the main assailant, who is said to have inflicted knife blow on the neck of the brother of the informant resulting in his death, hence, in such a case wherein the petitioner is alleged to have engaged in gruesome murder of the brother of the informant, I do not think it proper to release the petitioner on regular bail, hence, the present petition is dismissed.

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(Mohit Kumar Shah, J)

