

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25328 of 2019

Arising Out of PS. Case No.-581 Year-2018 Thana- GOPALGANJ TOWN District-
Gopalganj

=====

SHAMSAD MIYA @ SHAMSAD ALAM Son of Ali Akbar Resident of Village -
Surahiya East Tola, P.S.- Barharia, Distt - Siwan.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s	:	Mr. P.K. Lall, Adv.
	:	Mr. Amir Alam, Adv.
	:	Mr. Dhananjay Kumar, Adv.
For the Informant	:	Mr. Ram Sevak Chaudhary, Adv.

=====

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

4 14-08-2019 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner seeks bail in connection with
Gopalganj Town P.S. Case No. 581 of 2018 for the offence
under Sections 448, 341, 324, 307, 302, 504 and 506/34 of
the Indian Penal Code.

Learned counsel appearing for the petitioner
submits that the petitioner, who is of clean antecedent, is
innocent and has not committed any offence. In fact, the
petitioner has falsely been implicated in this case as few
days prior to the occurrence, the petitioner had hot
exchange of words with regard to alleged money which was



due to the father of the deceased. The petitioner is languishing in judicial custody since 10.10.2018. Hence the petitioner may be enlarged on regular bail.

Learned counsel for the informant has opposed the prayer for bail and submitted that the petitioner inflicted dagger blow on the person of the deceased who in course of treatment succumbed to his injuries. Moreover, the prosecution witnesses have supported the prosecution version, which is evident from paragraph nos. 5, 22, 23, 34, 48 and 49 of the case diary. Therefore, the petitioner does not deserve to be enlarged on regular bail.

Considering the facts and circumstances of the case, this Court is not inclined to grant regular bail to the petitioner. Accordingly, the prayer for grant of regular bail of this petitioner is rejected.

(Arvind Srivastava, J)

brajesh/-

U		T	
---	--	---	--

