

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10192 of 2020

Arising Out of PS. Case No.-280 Year-2019 Thana- KATIHAR MUFFASIL District- Katihar

MD. RAUF, S/o Mohammad Manzoor Alam, R/o village- Khorwa, P.S.-
Muffasil, District- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Musowir, Adv.

For the Opposite Party/s : Mr.Nityanand, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 30-06-2020 This case has been heard through Video
Conferencing.

Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case
registered for the offence punishable under Sections
307/326/324/34 of the Indian Penal Code.

Prosecution story in brief is that on 26.10.2019
informant with his friends were returning home in the way
petitioner Md. Rauf met with them and on call co-accused
Faryad arrived there and stabbed knife in the abdomen of Ibrar
thereafter, both the accused persons fled away from the place of
occurrence.

Learned counsel for the petitioner submits that the



petitioner is innocent person, has committed no offence and he has been falsely implicated in this case. He further submits that there is previous enmity, case and counter case between the parties and as a matter of fact that the informant and his friend Md. Ibrar have been indulged themselves in contract killing. There is no evidence against the petitioner regarding his involvement in the alleged occurrence.

Learned APP for the State vehemently opposes the prayer for bail petition and submits that there is specific allegation against the petitioner.

Perused the record, it transpires that there is specific allegation of assault against the petitioner. Co-accused namely Md. Faryad stabbed knife in abdomen of injured Ibrar due to which he sustained grievous injury which suggest that his act might cause death of injured. The petitioner is active participation in the alleged occurrence.

In the aforesaid facts and circumstances, I am not inclined to enlarge the petitioner on bail. Accordingly, the prayer for bail of the petitioner is rejected in connection with Muffasil P.S. Case No. 280 of 2019 from the Court of learned J.M.-1st Class, Katihar, District-Katihar.

Accordingly, the application is dismissed.



However, petitioner is directed to surrender before the learned court below and make prayer for bail, the learned court below shall dispose of the bail petition on the same day without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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