

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24162 of 2020

Arising Out of PS. Case No.-275 Year-2019 Thana- MUNGER MUFFASIL District- Munger

Md. Arif @ Ashraf @ Vikas, aged about years, Gender - male, Son of Md. Amanullah, Resident of Village- Sujawalpur, P.S - Muffasil, Distt.- Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Kumar Kamal Nayan
For the Opposite Party/s :	Mr. Ajay Kumar Gautam, Advocate
	Mr. Amit Kumar Rakesh, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 12-11-2020 Heard Mr. Kumar Kamal Nayan, learned counsel for the petitioner, Mr. Ajay Kumar Gautam, learned counsel for the informant and Mr. Amit Kumar Rakesh, learned counsel for the State through video conferencing.

Petitioner seeks regular bail in connection with G.R. No. 2467 of 2019 arising out of Muffasil P.S. Case No. 275 of 2019 registered for the offence under Section 302 / 34 of the I.P.C. and Section 27 of the Arms Act.

The allegation as per the First Information Report is that the daughter of the informant on receiving phone call went out of the house saying that she was going to the house of Arrif near Sujabalpur Masjid to bring some papers and at about 11 P.M. the informant got the information that Aarif and her



daughter have been killed and dead bodies are lying in the mango orchard.

Learned counsel for the petitioner submits that petitioner has not committed any offence in the manner alleged and he has falsely been implicated in this case on the basis of the confessional statement made by the co-accused / Danish @ Md. Danish. Learned counsel further submits that similarly situated co-accused MD. SAHWAZ @ VIT has been granted bail by a co-ordinate Bench of this Court in Cr. Misc. No. 12706 of 2020.

On the other hand, learned counsel for the informant as well as State referring to the case diary submit that the confessional statement of the co-accused Danish @ Md. Danish has been recorded and on the basis of his confessional statement the weapon of crime i.e. pistol and other articles have been recovered by the Police and the co-accused Danish @ Md. Danish has categorically stated that the petitioner participated in the commission of crime actively.

Having heard learned counsel for the parties and taking into consideration the materials available on record, I am not inclined to grant regular bail to the petitioner at this stage.

Accordingly, the same is rejected.



However, the petitioner may renew his prayer for regular bail after completion of one year from today, if the trial does not show any progress.

(Anil Kumar Sinha, J)

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