

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81373 of 2019

Arising Out of PS. Case No.-114 Year-2018 Thana- DARBHANGA SADAR District-
Darbhanga

MD. ISTEKHAR @ LADDAN Son of Mobibul Rahman @ Md. Motiur
Rahman @ Md. Motiurrahman @ Kari Resident of Village - Thakurania, P.S.-
Sadar, O.P. - Bhalpatti, Distt - Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Kumar No 13

For the Opposite Party/s : Mr.Shyam Kumar Singh

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 27-02-2020 Petitioner seeks bail in connection with Sadar
(Bhalpatti O.P.) P.S. Case No. 114 of 2018, corresponding to
C.R.I. Case No. 921 of 2018, registered for the offences
punishable under Sections 302, 120B and 427 of the Indian
Penal Code.

As per prosecution case, petitioner cut the neck of
husband of the informant in order to kill him by dagger, due to
which the deceased died.

Submission of learned counsel for the petitioner is
that there was enmity between the parties from before as mother
of petitioner was killed by deceased in the year 2011 and for that
case was instituted, informant has suppressed the above fact. It
has also been submitted that occurrence took place at 7.15 A.M.,



fardebayan was recorded at 7.30 A.M., inquest report was prepared at 8 A.M. and post mortem was conducted at 10.30 A.M. and manner of haste shown by prosecution creates doubt about the whole prosecution case. He is in custody since 19.3.2019.

Heard learned APP, who has opposed the prayer for bail on the ground that there is direct allegation against the petitioner of cutting neck of the deceased and several witnesses have also supported the allegation in their statement before police which appears from the case diary and post mortem report also supports the prosecution case.

In view of above facts and circumstances, I am not inclined to grant bail to the petitioner.

Accordingly, this application is dismissed.

(Vinod Kumar Sinha, J)

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