

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30716 of 2020

Arising Out of PS. Case No.-85 Year-2020 Thana- GARDANIBAG District- Patna

MD. AZAD Son of Md. Yunuf Resident of Bakarganj Bajaja, Police Station -
Pirbahore, District Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar Mouar

For the Opposite Party/s : Mr. Pranav Kumar

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

3 03-03-2021 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is accused in connection with
Gardanibagh P.S. Case No. 85 of 2020 registered under sections
302, 120(B) of the I.P.C. and 27 of the Arms Act pending in the
Court of A.C.J.M.-XIV, Patna.

Submission of learned counsel for the petitioner is
that petitioner is innocent and has falsely been implicated in the
present case. Petitioner is not named in the first information
report. Further submission is that petitioner is in custody since
16.02.2020.

Learned A.P.P. appearing on behalf of the State
opposed the prayer of the petitioner by contending that on
perusal of the paragraph-24 of the case diary it appears that the



first information report is against unknown and the petitioner was seen at the place of occurrence by the eye witness. Further submission is that the name of the petitioner has been transpired in the case by the co-accused. Petitioner has criminal antecedents. Hence, the petitioner does not deserve to be enlarged on bail.

Having considered the above facts and circumstances of the case and nature of allegation, this Court is not inclined to allow the prayer of the petitioner for bail. Accordingly, prayer for grant of regular bail of the petitioner is rejected.

(Arvind Srivastava, J)

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