

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3420 of 2022

Arising Out of PS. Case No.-209 Year-2021 Thana- PATNA CITY CHOWK District- Patna

Md. Miraj @ Mirajuddin Son of Late Salahuddin Resident of Village - Naya
Tola Gowal Toli, Phulwari Sharif, P.S. - Phulwarisharif, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jay Ram Prasad

For the Opposite Party/s : Mr.Narsingh Tanti

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 12-05-2022 Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner seeks bail in Chowk P.S. Case No. 209
of 2021, registered for the offence punishable under Section
302/34 of the Indian Penal Code and section 27 of the Arms Act.

As per the prosecution case, this petitioner called the
son of the informant Pankaj Sinha and asked him to come at tea
shop near Big Bazar. When informant's went at the tea shop this
petitioner along with co-accused Md. Arif and others started
quarreling with him and thereafter, this petitioner, co-accused
Md. Arif and others shot dead the son of informant Pankaj Sinha
and fled away. After having received the information, the
informant reached there and took his son to the hospital where
during course of treatment informant's son died. It is further



alleged that this petitioner had taken Rs. 25,00,000/- from the son of informant and when he demanded his money, this petitioner along with others committed his murder.

It is submitted on behalf of the petitioner that from bare perusal of the FIR, it is apparent that the informant is not eye-witness of the occurrence and only on suspicion petitioner has been made accused in this case. Petitioner is in custody since 29.07.2021.

However, counsel for the State vehemently opposed the prayer for bail and submitted that in para 15 and 16 are the statement of witnesses Rakesh Kumar and Dabbu Kumar goes to show that this petitioner was assailant of the informant's son (deceased) and during course of treatment he died.

Considering the facts aforesaid and the nature of allegation, I am not inclined to enlarge the petitioner above-named on bail. Accordingly, the same is rejected.

(Prabhat Kumar Singh, J)

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