

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7111 of 2022

Arising Out of PS. Case No.-128 Year-2021 Thana- CHHAURADANO District- East
Champaran

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SAJID HUSSAIN @LALU Son of Abdul Manan Resident of Village -
Hardiya, P.s.- Chhauradano, Distt.- East Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anil Kumar

For the Opposite Party/s : Mr.Syed Mojibur Rahman

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

3 27-07-2022 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the Stamp Reporter within one

month.

Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in Chhauradano P.S. Case no.

128 of 2021 registered for the offences punishable under Sections

302, 201 and 120B/34 of the Indian Penal Code.

As per allegation, one Nuruddin Shah, nephew of the

informant aged about 18 years went outside his house but did not

return till late night and then informant and his family members

started searching for the victim later on, on the next day they got

information that one person had been killed and his dead body was

lying near village Pakariya Semarahiya and thereafter informant and

his father went there and found dead body of the victim and in the



FIR informant suspected that some unknown persons might have killed the victim.

The main submissions advanced by Sri Anil Kumar learned counsel appearing for the petitioner are that FIR was lodged against unknown persons, petitioner is not named in the FIR, his name surfaced in the confessional statement of co-accused, there is not eye-witness of alleged murder. Further submission is that police got signature of the petitioner on plain paper which has been misused to implicate the petitioner falsely in the present case and petitioner has been languishing in jail since 3.6.2021.

Learned APP and learned counsel for the informant have vehemently opposed the prayer for bail and submitted that co-accused made a statement which led to recovery of knife which was allegedly used in killing the deceased and the co-accused also revealed the name of the petitioner being involved in the murder of the victim and the facts stated by co-accused Munna Alam which led to recovery of alleged weapon as well as showing involvement of this petitioner are admissible in evidence.

Heard both sides and perused the FIR as well as case diary. The present case relates to murder and as per prosecution victim was murdered in brutal manner and in the statement of co-accused Munna Alam involvement of the petitioner surfaced and the statement of co-accused Munna Alam led to recovery of alleged weapon which was used in killing the deceased and case diary goes



to show that at the relevant time of the alleged occurrence, accused Munna Alam was in contact with this petitioner on mobile phone.

Considering these facts, this Court is not inclined to grant privilege of bail to the petitioner and accordingly, his prayer for bail stands rejected.

(Shailendra Singh, J)

s.hassan/-

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