

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32651 of 2021

Arising Out of PS. Case No.-187 Year-2019 Thana- SUGAULI District- East Champaran

MD. MAQSOOD Son of Mir Azmeroo @ Mir Ajamal Resident of Village-
Sagauli Mir Toli, P.S.- Sugauli, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 34160 of 2021

Arising Out of PS. Case No.-187 Year-2019 Thana- SUGAULI District- East Champaran

MD.JAMSHED ALAM Son of Mir Nezam @ Mir Nejam Resident of Village-
- Mansha Tola, P.S.- Muffsil Bettiah, Distt.- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 61331 of 2021

Arising Out of PS. Case No.-187 Year-2019 Thana- SUGAULI District- East Champaran

MD. ARMAN Son of Mir Murtuja Resident of Village- Pir Toli, P.S.- Sugauli,
District- East Champaran, Motihari.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 61800 of 2021

Arising Out of PS. Case No.-187 Year-2019 Thana- SUGAULI District- East Champaran

MD. FARMAN S/o MIR MURTUJA R/o VILLAGE-PIR TOLI, P.S-
SUGAULI, DISTRICT-EAST CHAMPARAN,MOTIHARI

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR



... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 32651 of 2021)

For the Petitioner/s : Mr. Kundan Rathore @ Kundan Kumar, Advocate

For the Opposite Party/s : Mr. Madan Kumar, APP

(In CRIMINAL MISCELLANEOUS No. 34160 of 2021)

For the Petitioner/s : Mr. Kundan Rathore, Advocate

For the Opposite Party/s : Mr. Arvind Kumar Pandey, APP

(In CRIMINAL MISCELLANEOUS No. 61331 of 2021)

For the Petitioner/s : Mr. Ranjana Srivastava, Advocate

For the Opposite Party/s : Mr. Anil Kumar Singh No. 1, APP

(In CRIMINAL MISCELLANEOUS No. 61800 of 2021)

For the Petitioner/s : Mr. Ranjana Srivastava, Advocate

For the Opposite Party/s : Mr. Rajeev Nayan, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 08-03-2022 Heard learned counsel for the petitioners and
learned Additional Public Prosecutor appearing for the State.

Petitioners seek regular bail in connection with
Sugauli P.S. Case No. 187/2019 registered for the offences
punishable under Sections 302, 201 and 34 of the Indian Penal
Code 1860.

The allegation, as per the First Information Report, is
that the brother of the informant had left his house for plying his
tempo, but did not return, and after one day, the informant
received information that a dead body was lying near Sugauli
and on arrival, the informant found the dead body of his brother
lying having multiple injuries caused due to stabbing.

Learned counsel for the petitioners submits that the
petitioners have falsely been implicated in this case on the basis



of confessional statement of Md. Farman and they are in custody since 21.12.2020. Learned counsel further submits that except confessional statement, no other material has come against the petitioners.

On the other hand, learned counsel for the State referring to the case diary submits that during course of investigation, it has come to light that the petitioners have formed a gang which used to commit loot of Motorcycle, but in the present matter, they decided to commit loot of the tempo of the deceased, and in furtherance of their intention, they hired the tempo of the deceased, took the deceased along with his tempo towards Bettiah and on the way they killed the brother of the informant (since deceased) and fled away with the tempo. However, the Police intercepted them and arrested the petitioners while they were fleeing on the snatched tempo. Learned counsel also submits that the petitioner of Cr. Misc. 61800/2021 made his confessional statement before the Police that they have killed the informant's brother by stabbing him and on the identification of the co-accused Md. Farman, the knife/dagger, which was used for killing the informant's brother, has been recovered. Learned counsel next submits that the deceased was having multiple stabbing mark on his body.



Regards being had to the submission made by the parties and taking into consideration the materials on record, the fact which has come during course of investigation, the recovery of stolen tempo of the deceased from possession of the petitioner on the same date of occurrence and further on the identification and disclosure of the petitioner, weapon of the offence i.e. dagger was recovered by the Police, I am not inclined to grant regular bail to the petitioners.

Accordingly, these applications are dismissed.

(Anil Kumar Sinha, J)

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