

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48261 of 2021

Arising Out of PS. Case No.-178 Year-2020 Thana- SARAI District- Vaishali

Basim Ahmad @ Md Wasim Son of Abdul Jaffar Khan Resident of Village -
Mahua Mukundpur, Police Station - Mahua, District - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binod Kumar Sinha

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

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 13-01-2022 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Sessions Trial No. 40 of 2021, arising out of Sarai P.S. Case No. 178 of 2020, registered for the offence under Sections 302, 120B, 34 of the Indian Penal Code.

As per the F.I.R., the prosecution case in brief is that on 04.08.2020 at about 7.45 PM, while the informant alongwith his brother Nasir Alam Khan and one Jawed Khan was returning home and reached near Alijan Chowk, petitioner alongwith other F.I.R. named accused persons attacked them with sharp cutting weapon, as a result of which, Jawed Khan died on the spot and informant's brother died on way to hospital.

It is submitted on behalf of petitioner that petitioner



has been falsely implicated in this case. There is general and omnibus allegation. No specific overt act has been alleged against this petitioner. Due to land dispute between the parties, the alleged occurrence took place. Petitioner is in custody since 06.08.2020.

However, learned A.P.P. for the State opposed the bail petition and submitted that there is specific allegation against this petitioner and other F.I.R. named co-accused persons of causing death of Jawed Khan and informant's brother Nasir Alam Khan by sharp cutting weapons.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner and same is, accordingly, rejected.

(Prabhat Kumar Singh, J)

anay/-

U		T	
---	--	---	--

