

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13846 of 2023

Arising Out of PS. Case No.-135 Year-2022 Thana- AAJAM NAGAR District- Katihar

Md. Mukhtar S/O Late Hafizuddin @ Mafizuddin Resident of Village-
Khuriyal, P.S.- Azamnagar, District- Katihar,

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Anisur Rahman, Advocate

For the Opposite Party/s : Mr. Dinesh Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 07-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. Petitioner seeks bail, who is in custody since 21.05.2022 in connection with Sessions Trial No. 491 of 2022 arising out of Azamnagar P.S. Case No. 135 of 2022, F.I.R. dated 19.05.2022 registered for the offences punishable under Section 302 of the Indian Penal Code.

3. Allegation against the petitioner is of assaulting on the head of the informant's wife with spade resulting into her death.

4. Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has been falsely implicated in the present case. He further submits that from a bare perusal of the F.I.R. it appears that there is no repetition of



assault and the petitioner is in custody since 21.05.2022.

5. Learned APP for the State, on the other hand, vehemently opposed the prayer for bail of the petitioner and submits that there is specific and direct allegation against the petitioner that he has committed the murder of the victim by assaulting on the head of the informant's wife with spade resulting into her death and the postmortem report also supports the allegation as alleged in the F.I.R.

6. Considering the aforesaid facts that there is direct allegation against the petitioner, I am not inclined to enlarge the petitioner on bail in connection with Sessions Trial No. 491 of 2022 arising out of Azamnagar P.S. Case No. 135 of 2022 pending in the Court of learned Additional District Judge-IV, Katihar.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

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