

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15254 of 2023**

Arising Out of PS. Case No.-177 Year-2022 Thana- MOHIUDDIN NAGAR District-
Samastipur

=====

SABBIR AHMAD @ LAL BABU @ SHABBEER AHMAD SON OF LATE
JAMALUDDIN R/V- MOHIUDDIN NAGAR, TERHI BAZAR, P.S.-
MOHIUDDIN NAGAR, DISTRICT- SAMASTIPUR

... .. PETITIONER/S

VERSUS

THE STATE OF BIHAR

... .. OPPOSITE PARTY/S

=====

Appearance :

For the Petitioner/s : Mr. Anirudh Kumar Sinha, Advocate
For the Opposite Party/s : Mr. Ganesh Prasad Singh, Addl. Public Prosecutor

=====

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

5 24-08-2023 Heard learned counsel for the petitioner and the

State.

2. Petitioner apprehends arrest in a case registered for
the offence punishable under sections 302, 201 , 34 of the
Indian Penal Code , 1860 .

3. It is alleged that the informant after getting
information that in village Taidhi Bazar at Mohiuddinnagar one
unknown lady had been murdered and the accused persons
were trying to carry her dead body on motorcycle and on this
information police reached there and seeing the police party the



accused persons tried to escape but on chase three accused persons were apprehended on spot and this petitioner escaped from there.

4. It is submitted that the petitioner has been made accused in this case only on the confessional statement of other co-accused persons who were apprehended on the spot. There is no other material to show the complicity of the case . As a matter of fact, the wife of the petitioner was was candidate of Mukhiya in last Panchayat election and witnesses are having inimical relations with her, as such, other co-accused persons falsely named this petitioner as one of the assailant of the deceased. The deceased was killed before 86 hours of Post Mortem. Petitioner claims clean antecedent.

5. Learned counsel for the State opposes the prayer for bail and submits that during course of investigation in Para 12, 13, 14 of the Case Diary , eye witnesses have categorically stated this petitioner alongwith other co-accused persons committed murder of one unknown lady by cutting her neck from knife and they were also trying to load her on motorcycle .

6. Considering the statement of witnesses in para 12, 13 and 14 of the Case Diary and gravity of allegation, prayer



for pre-arrest bail of the petitioner is rejected.

(Prabhat Kumar Singh, J)

Kaushik/-

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

