

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28223 of 2022

Arising Out of PS. Case No.-412 Year-2020 Thana- ALAMGANJ District- Patna

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BADSHAH @ MD. RAJA Son of Md. Siraj @ Sheraj R/o mohalla - Danka
Imli, P.S.- Alamganj, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar Pradhan, Advocate

For the Opposite Party/s : Mr. Umesh Lal Verma, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 16-01-2023 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 302, 504, 506 and 34 of the Indian Penal Code and section 27 of the Arms Act.

As per the prosecution case, it is stated that while co-accused Mr. Mani Sahni caught hold of the informant's husband, the petitioner and one Md. Arshad shot at him. The informant's husband died.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case. The manner of occurrence is other than what has been narrated in the F.I.R. The informant is not an eye witness to the occurrence. The cause of false implication is evident from the F.I.R. itself. The petitioner is in custody since 25.7.2020 and undertakes to



cooperate in the trial which has commenced in the learned trial Court.

The application for bail is opposed by learned A.P.P. for the State who submits that in the postmortem report two gunshot injuries were found on the body of the deceased.

Having heard learned counsel for the parties and taking into consideration the allegation in the F.I.R. wherein the petitioner and one another are said to be the assailant of the deceased and the allegations being substantiated from the contents of the postmortem report, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

Learned trial Court is directed to expedite the trial.

(Partha Sarthy, J)

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