

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28569 of 2023

Arising Out of PS. Case No.-536 Year-2021 Thana- BHAGALPUR KOTWALI District-
Bhagalpur

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Md. Farid @ Md. Farid Khan son of Ashraf Khan Mohalla- Moti Kochwan
Lane Near Masjid Bari Khanjarpur Ps- Barari Dist- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Praveen Kumar, Advocate

For the Opposite Party/s : Mr. Syed Ehteshamuddin, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 21-08-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. Learned counsel for the petitioner is permitted to
remove the defect(s), as pointed out by the office, if any, within
a period of four weeks from today.

3. Petitioner seeks bail who is in custody since
24.11.2022 in connection with Kotwali (Barari) P.S. Case No.
536 of 2021, F.I.R. dated 17.08.2021 for the offences punishable
under Sections 302, 120B/34 of the Indian Penal Code and
Section 27 of the Arms Act.

4. According to prosecution case, the husband of the
informant had some altercation with one person who is
representative of Rana Miyan and later on the husband of the



informant went with Vikky Khan to Khanjarpur. It is further alleged that the informant received a phone call from Vikky Khan stating that her husband was murdered by 2-3 persons at Badi Khanjarpur.

5. Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offences as alleged in the F.I.R.

6. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that the witness namely, Md. Junaid has informed that the petitioner has fired upon the victim and the postmortem report also supports the contention of the statement of the other witnesses also.

7. Vide order dated 21.07.2023 a report was called with regard to the present stage of trial. Report of the learned Trial Court dated 28.07.2023 reveals that out of 8 charge sheet witnesses, one witness has been examined and the next date which was fixed in this case was 31.07.2023.

8. Considering the aforesaid fact that the trial is going on and sufficient material has come during investigation to



suggest the involvement of the petitioner, I am not inclined to enlarge the petitioner on bail in connection with Kotwali (Barari) P.S. Case No. 536 of 2021 pending in the court of learned Chief Judicial Magistrate, Bhagalpur.

9. Prayer is refused.

(Rajesh Kumar Verma, J)

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