

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33472 of 2023

Arising Out of PS. Case No.-337 Year-2022 Thana- DAUDNAGAR District- Aurangabad

RIZWAN @ BHOKU Son of Neyaj Ansari @ Neyajuddin Ansari R/o -vil-
lage-Miyan Muhalla, ward no. 06, P.S.-Daudnagar, District-Aurangabad
... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Santosh Kumar Pandey
For the Opposite Party/s	:	Mr.Dinesh Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 01-08-2023 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 302, 34 of the Indian Penal Code.

3. As per prosecution case, the allegation against the accused persons including the petitioner is that they committed murder of the informant's son by means of knife blow. It is further alleged that the when the informant reached at the place of occurrence, the deceased stated the petitioner and co-accused persons have inflicted him by knife blow.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The informant is not an eye witness of the alleged occurrence and the petitioner has falsely been implicated in this case merely on



the basis of suspicion. The petitioner has got no criminal antecedent as stated in para-3 of the bail petition. It is further submitted that the petitioner is languishing in judicial custody since 27.06.2022.

5. Learned APP appearing for the state and learned counsel for the informant have opposed the prayer of regular bail and submitted that there is direct allegation against the petitioner as well as other three associates who committed murder of the deceased by inflicting knife blows. The deceased himself, in injured condition has, apprised his father that the petitioner was amongst the person, who assaulted him by means of knife. The postmortem report of the deceased also corroborates the prosecution in which doctor opined that cause of death is due to sharp cut weapon. It is also submitted that the bail petition of other co-accused namely, Vikash Kumar upon whom the similar allegation has been made, was already rejected by the this Court vide order dt. 25.7.2023 passed in Cr. Misc. No. 15061 of 2023.

6. Having heard the learned counsel for the parties and considering the fact that there is direct allegation against the petitioner of stabbing to the informant's son, resulting his death, this court is not inclined to enlarge the petitioner on bail and, as



such, his prayer for bail stands rejected.

7. The trial court is directed to expedite the trial and conclude the same as early as possible.

(Sunil Kumar Panwar, J)

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