

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41855 of 2023

Arising Out of PS. Case No.-180 Year-2022 Thana- THAKURGANJ District- Kishanganj

MD. MOKIM SON OF MD. ALAM @ ALAM RESIDENT OF VILLAGE-
BAIRIAGACHH, PS- THAKURGANJ, DIST- DISHANGANJ

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mrityunjay Kumar, Adv.

For the Opposite Party/s : Mr. Mohammad Sufyan, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 22-08-2023 1. Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. Petitioner, who is in custody since 24.10.2022 seeks
bail, in connection with Thakurganj P.S. Case No.180/2022, dated
23.10.2022, for the offences punishable under Sections 302, 120(B)
and 34 of the IPC.

3. According to prosecution case, the petitioner is alleged
to have assaulted so many times to the father of the informant with
stick with intention to kill, due to which he died during course of
treatment.

4. Learned counsel for the petitioner submits that the
petitioner has clean antecedent and he has falsely been implicated in
the present case due to admitted land dispute. He further submits that
the allegation as alleged in the F.I.R. is false and fabricated and the
petitioner has not committed any offence.



5. Learned Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for bail of the petitioner and submits that there is direct and specific allegation against the petitioner that he assaulted the informant's father with the stick, resulting into his death. He further submits that the inquest report as well as the postmortem report also supports the allegation as alleged in the F.I.R. and the witnesses in paragraphs no. 8, 11, 12, 20, 33 and 34 of the case diary also supports the allegation as alleged in the F.I.R.

6. Considering the aforesaid facts, I am not inclined to enlarge the petitioner on bail in connection with Thakurganj P.S. Case No.180/2022 , pending in the court of learned Additional District and Sessions Judge-III, Kishanganj.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

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