

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61715 of 2023

Arising Out of PS. Case No.-1 Year-2023 Thana- PURAINI District- Madhepura

MD BAJO S/O LATE MD MOHI R/O VILLAGE- SAPARDAH, WARD NO.
10, PS. PURAINI, DIST. MADHEPURA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amarnath Jha

For the Opposite Party/s : Mr.Aditya Narayan Singh.1

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 13-12-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in connection with
Puraini P.S. case No. 01 of 2023 instituted for the offence under
Sections 302/34 of the Indian Penal Code and Section 27 of the
Arms Act.

As per allegation in the FIR, the F.I.R. named accused
persons including the petitioner have incessantly opened fire
upon informant's son namely, Md. Manowar Alam due to which
he sustained gun shot injury and died on the spot.

Learned counsel for the petitioner submits that the
petitioner is innocent and committed no offence. He has falsely
been implicated in the present case. There is no specific overt
act of opening fire against this petitioner. A statement has been
made in para 3 of the petition that petitioner has no criminal



antecedent. It is further submitted that the petitioner is languishing in judicial custody since 19.03.2023.

Learned APP appearing for the state has opposed the prayer of regular bail and submitted that from perusal of prosecution case, the petitioner with the assistance of other F.I.R. named accused persons have committed the brutal murder of the deceased. Further, the postmortem report of the deceased corroborates the prosecution case in which doctor opined that five entry wounds were found in the body of the deceased and cause of death is Haemorrhage and shock leading to Cardio Respiratory arrest due to firearm injury. It is further submitted the witnesses of this case have also supported the prosecution case.

Having heard the learned counsel for the parties and considering the gravity of the offence against this petitioner, this court is not inclined to enlarge the petitioner on bail and, as such, his prayer for bail stands rejected.

The trial Court is directed to expedite the trial and conclude the same as soon as possible.

(Sunil Kumar Panwar, J)

lata/-

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

