

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60918 of 2022

Arising Out of PS. Case No.-113 Year-2022 Thana- BALRAMPUR District- Katihar

MD. ARSHAD Son of Md. Kasim Resident of Village - Koltola, Baluganj,
P.S.- Balrampur, District - Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Dr. Alok Kumar Alok, Advocate
	:	Mr. Mazher Alam, Advocate
For the Opposite Party/s	:	Mr. Akhileshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

4 15-02-2023 Heard learned counsel for the petitioner, learned
counsel for the Informant and the learned APP for the State.

Petitioner seeks regular bail in connection with
Balrampur P.S. Case No.113 of 2022 registered for the offences
punishable under Sections 302, 201, 120B and 34 of the Indian
Penal Code.

As per the prosecution, the informant alleged that his
daughter aged about 20 years might have been killed by some
unknown persons.

The main submissions advanced by the learned
counsel Mr. Dr. Alok Kumar Alok for the petitioner are that the
petitioner is not named in the FIR and there is no eye witness of
the alleged murder and the prosecution is mainly relying upon
the call details in connection with the mobile phone of the



petitioner and the deceased at the relevant time of the commission of the alleged occurrence.

Learned APP Mr. Akhileshwar Dayal appearing for the State as well as learned counsel appearing for the Informant have vehemently opposed the bail prayer and the informant's counsel submitted that there is a serious allegation against the petitioner and he does not deserve to the privilege of bail.

Considering the seriousness of the occurrence which relates to murder and during the investigation on the basis of call details between the petitioner's mobile phone and the victim's mobile phone at the relevant time of the alleged occurrence the petitioner was arrested by the police and he confessed to the crime and following with the disclosure statement made by him the incriminating materials including the knife which was used in the alleged murder as well as victim's mobile phone was recovered from the house of this petitioner, in the opinion of this Court the petitioner does not deserve to the privilege of bail. Accordingly, his bail prayer stands rejected.

(Shailendra Singh, J)

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