

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61139 of 2022

Arising Out of PS. Case No.-75 Year-2022 Thana- MATIHANI District- Begusarai

MD. JAVED @ MD. JAVED SAH Son of Md. Matlu Sah R/V- Saidpur, P.S-
Matihani, Dist- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Ranjeet Kumar Singh
For the Informant	:	Mr.R.N. Prasad
For the State	:	Mr. J.N. Thakur, APP

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

3 14-03-2023 Heard the learned counsel for the petitioner as well
as the learned Additional Public Prosecutor for the State.

The petitioner is seeking regular bail in connection with Matihani P.S. Case No. 75 of 2022, registered for the offences punishable under Sections 326, 302/34 of the Indian Penal Code.

As per allegation, co-accused Md. Nasir and Md. Alam called the son of the informant. The informant also followed his son and after sometime, he saw five accused persons, including the petitioner were administering wine to son of the informant. Later on, the accused persons scuffled with his son. Two accused persons caught hold his son and Md. Nasir inflicted knife blows on his son. Thereafter, the accused persons



fled away. Later on, his son died.

The learned counsel for the petitioner has submitted that petitioner is not the main assailant. The main assailant is co-accused Md. Nasir against whom there is allegation of inflicting knife blows on the person of the deceased.

On the other hand, the learned APP as well as learned counsel for the informant have opposed the prayer for bail and submitted that the independent witnesses in the case diary have corroborated the version of the informant and those independent witnesses have mentioned in paragraph nos. 46 and 47 of the case diary had also seen the petitioner, when he was fleeing away along with other co-accused persons, after committing murder of the deceased.

In my view, the petitioner does not deserve the privileges for bail. Accordingly, it is rejected.

(Nawneet Kumar Pandey, J)

Nirmal/Kundan

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

