

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64511 of 2023

Arising Out of PS. Case No.-83 Year-2023 Thana- KATIHAR MUFFASIL District- Katihar

Md. Aman @ Paroki Son Of Biku Khalifa Resident Of Village- Digghi, Ps-
Mufassil, Distt- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinay Ranjan, Advocate

For the Opposite Party/s : Mr. Murli Dhar, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 06-12-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks regular bail in connection with
Muffasil P.S. Case No. 83 of 2023, lodged on 28.04.2023, under
Sections 302/307/326/354B/34 of the Indian Penal Code.

3. As per the prosecution, the allegation made in the
FIR is that the informant along with other females of the village
used to go for worship to Kali Temple. In the meantime, the
accused persons started trying to outrage the modesty of the
females and upon oppose the accused persons alleged to have
attacked on the informant's son. In result he died on spot.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He further
submits that there is nothing specific against the petitioner and if



any the only allegation against the petitioner is that he has threatened to the people present there by keeping pistol in his hand. Counsel for the petitioner submits that the accused persons against whom the allegation are there in the FIR, namely, Md. Afjal and Md. Masoom, have been granted bail by a coordinate Bench of this Court vide order dated 08.09.2023 and 15.09.2023 respectively.

5. Learned counsel for the State opposes the prayer for bail and submits that there are specific allegation that the petitioner along with other persons came in furtherance of the common intention and attacked on the group and stabbed in the stomach of the informant's son due to which he died.

6. In the present facts and circumstances, it transpires to this Court that the accused persons entered in the mob of the females with common intention and committed the offence.

7. In this view of the matter, this Court is not inclined to grant bail to the petitioner. Hence, the prayer for bail is hereby rejected. However, liberty is hereby granted to the petitioner that he may renew the prayer for bail after framing of the charge.

(Dr. Anshuman, J)

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