

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69772 of 2022

Arising Out of PS. Case No.-76 Year-2022 Thana- WARISNAGAR District- Samastipur

MD. SAJJAD @ SAHJAD @ SAJJAD S/o Md. Hakku R/o Village/Mohalla-
Ghosh Lane, P.S.- Samastipur Town, Distt- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Aprajita

For the Opposite Party/s : Mr.Akshay Lal Pandit

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 12-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in connection with Warisnagar P.S. Case No. 76 of 2022 instituted for the offence under Sections 302/34 of the Indian Penal Code and later on Sections 27 , 25(1-b)a, 2, 35 of the Arms Act were added.

As per allegation in the FIR, under a conspiracy petitioner and other accused persons taken away the informant's son from his house on 10.3.2022 and committed murder by fire arms near the house of late Sushil Ji Srivastava.

It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case due to previous enmity. No one is the eye witness of the occurrence. No specific allegation of firing is against this petitioner.



Petitioner is languishing in judicial custody since 20.07.2022.

The application for bail is opposed by learned APP for the State and submitted that during investigation several witnesses have supported the prosecution story in para 9,10, 11 and 12 of the case diary. In restatement of the Kamlesh Rai, he has stated that his son, Sachin Kumar prior to his death disclosed the name of the petitioner and others who have opened fire upon him. As per postmortem report, four entry wounds were found on the body of the deceased and doctor opined cause of death due to hemorrhage and shock caused by fire arms.

Having heard the learned counsel for the parties and considering the nature of allegation, 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 and conclude the trial.

(Sunil Kumar Panwar, J)

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