

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.71530 of 2022**

Arising Out of PS. Case No.-879 Year-2021 Thana- SAHARSA SADAR District- Saharsa

MD. NADEEM @ NADEEM AHMAD @ GUDDU Son of Md. Murshid  
Alam R/V- Jhitkia, P.S- Singheshwar, Dist- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Rajesh Kumar

For the Opposite Party/s : Mr.Zainul Abedin

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
**ORAL ORDER**

3      11-04-2023                      Heard learned counsel for the petitioner and learned  
APP for the State.

The petitioner has prayed for regular bail in a case  
instituted for the offence under Sections 341, 323, 324, 302,  
109/34 of the Indian Penal Code.

As per allegation in the FIR, over a dispute of  
homestead land, petitioner who is full brother of the deceased in  
connivance with his other family members, has stabbed knife as  
a result of which he died.

It is submitted by learned counsel for the petitioner  
that petitioner has been falsely implicated in this case due to  
dispute over homestead land. Only with a view to put pressure  
in partition of family property, this false case has been lodged  
against the petitioner. Informant is not an eye witness of the



alleged occurrence. He has no criminal antecedent. Petitioner is languishing in judicial custody since 21.11.2021.

The application for bail is opposed by learned APP for the State and submitted that petitioner has inflicted two stabbed wound i.e. one on right side of neck and next one is below the right eye of the deceased. Postmortem report also shows cause of death due to cardio pulmonary arrest due to hypoglycemic shock caused by sharp weapon. During investigation, several witnesses have supported the prosecution story.

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)**

sushma/-

|   |  |  |  |
|---|--|--|--|
| U |  |  |  |
|---|--|--|--|

