

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72196 of 2022

Arising Out of PS. Case No.-419 Year-2022 Thana- RAJIVNAGAR District- Patna

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Zaid Ahmad Son Of Late Md. Aurangzeb Khan Resident Of Village- Pira,
P.S.- Haspura, District- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Y.C. Verma, Sr. Adv.
Mr. Madhav Raj, Adv.

For the Opposite Party/s : Mr.Narendra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 19-04-2023 Heard learned counsel for the petitioner, learned
counsel for the Informant and learned Additional Public
Prosecutor for the State.

The petitioner is apprehending his arrest in a case
registered for the offence punishable under Sections 365 of the
Indian Penal Code, later on Sections 302, 201, 326, 120B of the
IPC was added.

As per FIR, younger brother of the informant had
gone to Gyan Niketan School by his car for depositing fee of his
son. After depositing fee, he along with his friend Zaid Ahmad
(petitioner) was returning through car and he dropped the
petitioner near Gola Road, Petrol Pump and was going to Hari
Khan, thereafter there was not contact with him. Hence, this
case was instituted.



Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case due to suspicion. He submits that petitioner is not named in the FIR nor there is any whisper about his complicity in the case at all. There is no eye witness in the present case. He submits that the doctrine of last seen is not applicable in the present case. He further submits that petitioner has no criminal antecedent as stated in para-3 of this application.

Learned APP for the State and learned counsel for the informant oppose the prayer for bail and submits that the petitioner is also involved in the present case. He further submits that the tower location of both the mobile numbers of petitioner is found to be near the place from where the dead body of victim was recovered.

Considering the nature of offence, I am not inclined to enlarge the petitioner on bail. Accordingly, his prayer for bail is rejected in connection with Rajiv Nagar P.S. case No. 419 of 2022.

(Anjani Kumar Sharan, J)

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