

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12052 of 2024

Arising Out of PS. Case No.-632 Year-2023 Thana- PATLIPUTRA District- Patna

Md Nasruddin @ Rinku, Male aged about 42 years son of Moulvi Hasan @
Makkhan resident of Village – Takiyapar, P.S. Danapur, District - Patna
... .. Petitioner/s

Versus

The State of Bihar
... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 13964 of 2024

Arising Out of PS. Case No.-632 Year-2023 Thana- PATLIPUTRA District- Patna

Md. Ejaz @ Md. Ajazuddin, Male aged about 46 years son of Late Jalaluddin,
R/O Bans Kothi, Gate No. 97, P.S. Digha, District - Patna
... .. Petitioner/s

Versus

The State of Bihar
... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 12052 of 2024)
For the Petitioner/s : Mr. Rudra Deo, Advocate
For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP
(In CRIMINAL MISCELLANEOUS No. 13964 of 2024)
For the Petitioner/s : Mr. Dharendra Prasad Sinha, Advocate
For the Opposite Party/s : Mr. Mohammad Sufyan, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

5 30-08-2024 Heard learned counsel for the petitioners, learned

counsel appearing on behalf of the informant as well as learned

APP for the State.

2. The petitioners seeks bail in anticipation of their
arrest in a case registered for the offences punishable under
Sections 302, 307, 326 and 120(B) of the Indian Penal Code and
Section 27 of the Arms Act in connection with Patliputra P.S.
Case No. 632 of 2023.

3. As per prosecution case, informant on 31.07.2023
at about 10:30 AM was informed that his younger brother was



shot by four persons who came on two motorcycles when he was in his car. There was political enmity of co-accused persons with his brothers and they had arranged contract killer for the murder of his brother.

4. Learned counsel for the petitioners submits that petitioners are quite innocent and have not committed any offence and have falsely been implicated in this case. Petitioners are not named in the FIR and their name surfaced from the confessional statement of co-accused Ajay Rai @ Vishal Kumar and Uday Kumar and except confessional statement, there is nothing on record to show the complicity of the petitioners. He further submits that petitioners have got no concern with the alleged occurrence or with other co-accused persons. He next submits that petitioner namely Md. Nasruddin @ Rinku is the person with clean antecedent and petitioner namely Md. Ejaz @ Md. Ajazuddin has got one criminal antecedent as stated in para 3 of their bail petitions.

5. Learned A.P.P. for the state as well as learned counsel for the informant vehemently opposed the prayer for bail of the petitioners. Learned counsel for the informant submits that the allegation levelled against them is of serious in nature and petitioners are involved in the alleged offence as they



have only arranged the contract killer to commit the alleged crime, therefore, prays that the petitioners does not deserve the privilege of anticipatory bail. Learned APP for the state submits that police interrogation is required in this case as investigation is still going on.

6. On perusal of FIR, case diary, postmortem report and impugned order dated 06.01.2024, it appears that name of the petitioners surfaced from the confessional statement of the co-accused persons as stated in para 458 of the case diary and the petitioners have arranged the shooters for the murder of the deceased as mentioned in the impugned order and the investigation against them is still going on and proper investigation and interrogation of police is required in this case and granting anticipatory bail will affect the investigation, so considering the serious allegations leveled against the petitioners, I am not inclined to grant the anticipatory bail to the petitioners.

7. Accordingly, the prayer for anticipatory bail of the above named petitioners is hereby rejected.

(Ramesh Chand Malviya, J)

Brajesh Kumar/-

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