

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18020 of 2024

Arising Out of PS. Case No.-864 Year-2022 Thana- SAHARSA SADAR District- Saharsa

Md. Javed S/o Md. Jubair R/o Mohalla - Mir Tola, ward no. 38, P.S. -
Saharsa, Distt. - Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Balkrishna Mishra, Adv.

For the Opposite Party/s : Mr.Rajendra Nath Jha, APP

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

ORAL ORDER

3 22-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody in connection with Saharsa Sadar P.S Case No. 864 of 2022 from the Court of learned Additional Sessions Judge 1st Saharsa registered for the offences punishable under Sections 302, 120B of the I.P.C.

3. As per prosecution case, when informant entered into the shop of his father he found dead body of his father there, it looks like that someone has murdered his father with sharp weapon.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case. It is next submitted that petitioner's name surfaced during investigation.



It is also submitted that petitioner is in judicial custody since 07.11.2022 and petitioner has got no criminal antecedent as stated in para 3 of the petition.

5. However, learned APP for the State oppose the prayer for regular bail of the petitioner.

6. In view of the allegation, on perusal of case diary, FIR, postmortem report it appears that cause of death of the deceased is due to injury to the vital organ i.e. brain & spleen leading to internal hemorrhage resulting from above mentioned injuries over the head & chest caused by heavy sharp weapon, further on perusal of the paragraph 65 of the case it is evident that the weapon used to kill the deceased was found on the basis of confessional statement of the accused persons including the petitioner. The independent witnesses have also supported the case of the prosecution, this Court is not inclined to grant bail to the petitioner.

7. Hence, the prayer of regular bail of the petitioner is hereby rejected.

(Ramesh Chand Malviya, J)

Mayank/-

U		T	
---	--	---	--

