

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20277 of 2024

Arising Out of PS. Case No.-113 Year-2023 Thana- HABIBPUR District- Bhagalpur

MD. SHAMSHER @ SHAMSHER S/O- MD MOIEN R/O- KURBAN, P.S.-
HABIBPUR, DIST.- BHAGALPUR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajive Ranjan Singh

For the Opposite Party/s : Mr.Yogendra Kumar Singh

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

4 23-08-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Habibpur P.S. Case No. 113 of 2023 registered for the offences
punishable under Sections 302, 201/34 of the Indian Penal.

3. As per the prosecution case, the informant alleged
that the petitioner had called his sister on the pretext of
returning Rs. 2,50,000/-, which he had earlier borrowed from
her, and then killed her with sharp edged weapon.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this
case. The allegation levelled against the petitioner is not specific
rather it is general and omnibus in nature. He has further



submitted that the petitioner has been made accused in the present case only on the basis of Call Detail Reports (C.D.R.) of the informant's sister and the petitioner, who has spoken to each other multiple times before the day of occurrence, but the same is quite natural as the informant's sister and the petitioner are close relatives. The petitioner has no criminal antecedent as mentioned in para-3 of the bail application. He has also submitted that there is no eye-witness to the occurrence.

5. Learned APP for the State opposes the prayer for bail and submits that the daughter of the deceased disclosed the fact that the petitioner had called the deceased on 12.08.2023. He has also submitted that during course of investigation, the witnesses have supported the prosecution case.

6. Considering the facts and circumstances of the case, I am not inclined to grant bail to the petitioner. Accordingly, the prayer for bail of the petitioner is hereby rejected.

(Nawneet Kumar Pandey, J)

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