

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24544 of 2023

Arising Out of PS. Case No.-720 Year-2022 Thana- NATHNAGAR District- Bhagalpur

Md. Iftekhhar Ansari S/O Tasduk Alam R/O Momin Tola, P.S- Nathnagar,
Distt.- Bhagalpur.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 27542 of 2023

Arising Out of PS. Case No.-720 Year-2022 Thana- NATHNAGAR District- Bhagalpur

Md. Irshad Hussain Son Of Late Wazahat Hussain R/O Village- Momin Tola,
P.S.- Nathnagar, District- Bhagalpur

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 24544 of 2023)
For the Petitioner/s : Mr.Md. Najmul Hodda
For the Opposite Party/s : Mr.Sanjay Kumar Singh
(In CRIMINAL MISCELLANEOUS No. 27542 of 2023)
For the Petitioner/s : Mr.Davendra Kumar Pandey
For the Opposite Party/s : Mr.Narsingh Tanti

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

8 18-01-2024 Heard learned counsel for the petitioners and

learned APP for the State.

The petitioners have filed the instant

application for grant of regular bail in a case registered

for the offences punishable under Sections 302/34 of



the Indian Penal Code and Section 27 of Arms Act.

As per allegation in the FIR, petitioners along with other co-accused persons have murdered the nephew of the informant by causing firearm injuries, where occurrence arises out of earlier dispute.

It is submitted by learned counsel for the petitioners that petitioners have falsely been implicated in this case. There is no eye witness of the alleged offence and name of petitioners sprang up in this case on the basis of confessional statement of co-accused Md. Shahrukh and on the basis of suspicion. Moreover, petitioners are in judicial custody for more than one year.

Learned APP appearing on behalf of the State and learned counsel for the informant vehemently opposed the prayer of the petitioners and submitted that there is direct allegation against the petitioners. Independent witnesses have supported the prosecution story vide para 214, 215 and 216 of the case diary.



Informant have also stated about the prosecution case which is mentioned in para 268 of the case diary. Postmortem report shows that cause of death is due to hemorrhage and shock due to firearm injury.

Having heard the learned counsel for the parties and considering the nature of allegation, this court is not inclined to enlarge the petitioners on bail and, as such, their prayer for bail stands rejected.

Learned trial court is directed to expedite the trial and conclude the same as early as possible.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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