

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27339 of 2024

Arising Out of PS. Case No.-158 Year-2022 Thana- HABIBPUR District- Bhagalpur

Md. Dilshad @ Dj son of Md. Mano @ Mania Mohalla- Chamelichak Ps-
Habibpur Dist- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Praveen Kumar, Advocate

For the Opposite Party/s : Mr. Murli Dhar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

4 26-07-2024 Heard Mr. Praveen Kumar, learned Counsel for the
petitioner and the State.

2. The petitioner is an accused in connection with S.T.
No. 650 of 2023 (arising out of Habibpur P.S. Case No. 158 of
2022) registered for the offences under section 302 of the Indian
Penal Code and section 27 of the Arms Act lodged on
25.09.2022 by the informant, Md. Manni.

3. As per the prosecution story, the informant alleged
that the brother of the informant (deceased) went from his house
after taking lunch when this petitioner opened fire though
people tried to apprehend him, he managed to escape. Upon
reaching, saw his brother in injured condition, shifted to hospital
and died in course of treatment. Accordingly, the F.I.R.

4. Learned Counsel for the petitioner submits that



admittedly, the informant is not an eyewitness to the occurrence and the deceased's brother was a man with criminal antecedent.

5. Learned APP, on the other hand, opposes the prayer submitting that even the petitioner has three criminal antecedent under his belt, he is the sole accused in the matter and though the locals tried to apprehend him, he managed to escape in that background, he does not deserve bail.

6. Taking into account the content of the F.I.R. as also the opposition to his bail petition coupled with the fact that he has criminal antecedent, this Court is not inclined to extend him privilege of bail which is accordingly rejected.

(Rajiv Roy, J)

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