

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43666 of 2024

Arising Out of PS. Case No.-83 Year-2023 Thana- KATIHAR MUFFASIL District- Katihar

Md. Shanwaj @ Md. Shahnawaz @ Md. Sahanwaj Son Of Abdul Kasim
Village- Digghi Katihar, P.S.- Mufassil (KATIHAR), Distt.- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Najeeb Ahmad, Adv.

For the Opposite Party/s : Mr. Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 20-07-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Mufassil P.S. Case No. 83 of 2023 dated 28.04.2023, lodged
under Sections 302, 307, 326, 354B and 34 of the I.P.C.

3. As per the prosecution case, there are in total six
named accused persons in this case and the allegation against
the present petitioner is that he has stabbed knife blow in the
stomach of the informant's son due to which he died.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He further
submits that the petitioner is in custody since 12.05.2023 having
one criminal antecedent in which he is on bail. He further
submits that bail petition of one co-accused, against whom there

is same allegation has been rejected by this Court with certain observations. To other co-accused, bail has been granted by the Co-ordinate Bench of this Court.

5. Learned A.P.P. for the State opposes the prayer for bail and submits that in the F.I.R., there is direct allegation against the present petitioner about stabbing the knife in the stomach of the informant's son, due to which death caused.

6. In the present facts and circumstances of this case and the submissions made above, I am not inclined to grant bail to the petitioner and, therefore, his bail petition is hereby rejected.

(Dr. Anshuman, J)

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