

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62526 of 2024

Arising Out of PS. Case No.-137 Year-2023 Thana- PATNA CITY CHOWK District- Patna

Md. Sharif Son of Md. Farid Resident of Bakshi Maidan, Patna City, Patna,
P.S. - Chowk, P.O. - Jhauganj, District - Patna, Bihar - 800008

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md Azim Uddin

For the Opposite Party/s : Mr.Pranav Kumar

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 23-09-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Sessions Trail No. 94 of 2024 arising out of Chowk P.S. Case No. 137/2023 dated 18.03.2023 registered for the offence punishable u/s 302 and 201 of the Indian Penal Code.

3. As per the prosecution case, the petitioner came to the house of the informant and asked where was Md. Irfan, the son of informant as the informant's son has borrowed Rs.750 so, the petitioner wanted his money back. The informant told the petitioner that his son was at his grandmother's house at Bataokuan and the petitioner went there. The informant's son



denied the fact of taking cash rather he told that the petitioner himself has taken Rs.1,000/-. The petitioner started quarreling with the informant's son. Thereafter, the informant came back to his house and the petitioner also went to the informant's house again and started threatening him to return the said money otherwise he would kill his son and then he returned from the informant's house. Thereafter, on the same day at 08:45 P.M., the informant's brother-in-law informed the informant that the petitioner had killed his son by knife at Bataokuan. Then, the informant went there with their people and found his son lying down in his grandmother's house and there was no movement in the body of his son. Then, the informant and police reached to NMCH, Patna where the doctors declared him dead. There were several wounds on the body of the informant's son and many people saw that the petitioner had killed the informant's son,

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner has no concern with the alleged occurrence. Learned counsel has submitted that police has forcibly taken confession in which it has been shown that the petitioner has bought the knife before committing the murder but the shopkeeper of the knife has not been interrogated. The



charge-sheet has been submitted on 30.05.2023. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 19.03.2023.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner by submitting that the specific allegation is against the petitioner. As per the Post-Mortem Report, the cause of death is due to haemorrhage and shock and nature of injury is also caused by sharp cutting weapon.

6. Considering the aforesaid facts and circumstances of the case as well as the heinous nature of allegation against the petitioner, this Court is not inclined to grant bail to the petitioner and the same is rejected in connection with Sessions Trial No. 94 of 2024 arising out of Chowk P.S. Case No. 137/2023 pending in the court of learned Additional District and Sessions Judge IV, Patna City.

7. This application stands rejected.

(Chandra Prakash Singh, J)

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