

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70715 of 2023

Arising Out of PS. Case No.-328 Year-2023 Thana- KATIHAR NAGAR District- Katihar

Md. Vikki Quraishi Son Of Md. Gafoor @ Md. Gafoor Kuraishi Resident Of
Village - Salamat Nagar, P.S. - Katihar, District - Katihar

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nafisuzzoha

For the Opposite Party/s : Mr.Anant Kumar 1

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 19-01-2024 Heard learned counsel for the petitioner and learned APP
for the State. Perused the case diary.

The petitioner has prayed for bail in connection with
Nagar Katihar P.S. case No. 328 of 2023 instituted for the offence
under Sections 302/34 of the Indian Penal Code.

As per allegation in the F.I.R., the petitioner along with
wife of the deceased killed the brother of the informant namely,
Pawan Sharma by pressing his neck.

Learned counsel for the petitioner submits that the
petitioner is innocent and committed no offence. He has falsely been
implicated in the present case. The informant is not an eye witness of
the alleged occurrence. It is further submitted that the petitioner has
no criminal antecedent and he is languishing in judicial custody since
05.05.2023.

Learned APP appearing for the state has opposed the



prayer of regular bail and submitted that petitioner is named in the F.I.R. and there is specific allegation of murder of the informant's brother Pawan Sharm against him. During investigation in para 19 and 20 of the case diary two daughters of the deceased namely, Mayuri Sharma and Bharti Sharma respectively have supported the prosecution case and stated about the complicity of the petitioner. They themselves stated that they are the eye witness of the incident. In para 15 of the case diary, the petitioner has also confessed his guilt in his confessional statement in respect of commission of murder the informant's brother. Further, the postmortem report of the deceased corroborates the prosecution case in which doctor opined that the cause of death is asphyxia as a result of throttling.

Having heard the learned counsel for the parties and considering the fact that there is direct allegation against this petitioner, this court is not inclined to enlarge the petitioner on bail and, as such, his prayer for bail stands rejected.

The trial Court is directed to expedite the trial and conclude the same as soon as possible.

(Sunil Kumar Panwar, J)

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