

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71259 of 2024

Arising Out of PS. Case No.-92 Year-2024 Thana- PARBATTI District- Bhagalpur

Md. Sanowar @ Bullesh @ Bulesh Son Of Israfil @ Shekh Israfil @ Shekh
Tsrphil R/O Vill.- Sekh Tola @ Shekh Tola, Jhandapur, P.S. Bihpur
(Jhandapur O.P.), District- Bhagalpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K. Agarwal, Sr. Advocate
		Mr. Nafisu Zzoha, Advocate
For the Opposite Party/s	:	Mr. Surendra Kumar, APP
For the Informant	:	Mr. Rajesh Kumar, Advocate

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 02-12-2024 Heard learned counsel for the petitioner, learned
APP for the State, learned counsel for the informant and perused
the case diary.

2. The petitioner seeks bail in Parbatta P.S. Case No.
92 of 2024, instituted for the offences punishable under Sections
363, 365, 302, 120(B)/34 of the Indian Penal Code.

3. The prosecution case, in short, is that, the petitioner
along with other co-accused persons kidnapped the father of the
informant from his *paan* shop. It is further alleged that the
accused persons may have committed some unpleasant incident
with him.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. No incriminating material has been recovered from the conscious possession of the petitioner. Learned counsel for the petitioner also submits that there is no specific allegation against the petitioner. There is general and omnibus allegation levelled against the petitioner. Name of the petitioner has transpired in this case on the basis of business rivalry with the informant. It is further submitted that co-accused Md. Fulo was having inimical terms with the deceased Md. Farukh with regard to the defamation of his prestige. On the basis of confessional statement of co-accused Md. Fulo, the dead body of the deceased was recovered. The petitioner is in custody since 31.05.2024 and has got no criminal antecedent.

5. Learned APP for the State and learned counsel for the informant have vehemently opposed the prayer for grant of bail to the petitioner. Learned APP also submits that the petitioner is named in the FIR and he was last seen with the deceased by the witnesses. Paragraph Nos. 6, 7, 8, 9 and 10 are the statement of witnesses who stated that petitioner and other accused persons took the deceased with them. Hence, the petitioner does not deserve the privilege of bail.



6. Considering the aforesaid facts and circumstances of the case, nature of accusation and the gravity of the offence, at this stage this Court is not inclined to grant bail to the petitioner.

7. The prayer is rejected. The trial Court is directed to expedite the Trial expeditiously.

(Rudra Prakash Mishra, J)

Rajorshi/-

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