

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83409 of 2023

Arising Out of PS. Case No.-647 Year-2021 Thana- KATIHAR NAGAR District- Katihar

Jaharuddin @ Bhola Son Of Md. Mustafa @ Mustafa R/O Sukhasan, P.S.-
Barari, District- Katihar. (In The F.I.R. Petitioners Age Has Wrongly Been
Mentioned As 25 Years, But In The Impugned Order His Age Is Mentioned
As 32 Years)

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajnish Kumar Singh, Advocate

For the Opposite Party/s : Dr. Ajeet Kumar, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

4 26-06-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks regular bail in connection with
Katihar Nagar (Sahayak) P.S. Case No. 647 of 2021, lodged on
17.11.2021, under Sections 307/302/120B/34 of the Indian
Penal Code and under Section 27 of the Arms Act.

3. As per the prosecution, FIR has been lodged against
eight named accused persons against whom there is allegation
that they in connivance with each other have killed the husband
of the informant by Desi Katta from point length range firing on
the head.

4. Learned counsel for the petitioner submits that the
informant is not the eyewitness. He submits that in this



occurrence there are two persons injured. One died and one person received injury on her leg, but she has not come forward to narrate any statement before the police. Learned counsel for the petitioner submits that the main planner of this case is one Lallu Sahani to whom this Court has granted bail vide order dated 14.07.2022 passed in Cr. Misc. No.18512 of 2022. Learned counsel submits that the other accused has already been granted bail by the coordinate Bench of this Court. Learned counsel further submits that antecedent of the petitioner is clean. He is in custody since 04.07.2023.

5. Learned counsel for the State opposes the prayer for bail and submits that as per the FIR there is direct allegation against three accused persons including the present petitioner that they have made indiscriminate firing on the head of the deceased due to which he died.

6. Upon the specific query of the Court that whether charge has been framed or not. Counsel for the petitioner submits that he is completely unaware about this fact that charge has been framed or not. But he submits that two accused persons have been acquitted in this case.

7. In the present facts and circumstances, this Court is not inclined to grant bail to the petitioner. The prayer for bail of



the petitioner is hereby rejected. However, the petitioner shall be at liberty to renew his prayer for bail one year after framing of the the charge.

(Dr. Anshuman, J)

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