

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.82603 of 2023**

Arising Out of PS. Case No.-111 Year-2023 Thana- KURSAKANTA District- Araria

Md. Hussain @ Md. Hussain Alam @ Hussain Son of Md. Javed Alam @  
Jawed Alam R/o vill - Kuari, ward no. 08, P.S. - Kursakanta (Kuari O.P.),  
Distt. - Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Vijay Anand, Adv.

For the Opposite Party/s : Mr. Rajendra Nath Jha, APP

**CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA**  
**ORAL ORDER**

2      12-01-2024                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner seeks regular bail in connection with  
Kursakanta (Kuari O.P.) P.S. Case No.111 of 2023, registered  
for the offences punishable under Sections 302, 380, 460 and  
120B of the I.P.C.

3. As per the prosecution case, the petitioner and other  
co-accused persons have committed murder of the wife of the  
informant by cutting neck with sharp object.

4. Learned counsel for the petitioner submits that the  
petitioner is innocent and has been falsely implicated in this  
case due to earlier dispute. He further submits that no  
incriminating article has been found against the petitioner. He

also submits that the petitioner is in custody since 07.06.2023 having two criminal antecedents. He further submits that charge-sheet has already been filed in this case and there is no chance of absconding of the petitioner or tampering with the evidence.

5. Learned APP for the State has opposed the prayer for regular bail of the petitioner and submits that there is specific allegation against the petitioner for committing the murder causing neck injury which is corroborated by the evidence and also the doctor has opined the cause of death of the deceased due to neck injury by sharp object.

6. Considering the facts and circumstances of the case and the submissions of learned counsel for the parties and that there is direct allegation and material on record against the petitioner of killing deceased by the sharp object, I am not inclined to enlarge the petitioner on bail. Accordingly, the prayer for bail of the petitioner is rejected in connection with Kursakanta (Kuari O.P.) P.S. Case No.111 of 2023.

**(Sunil Dutta Mishra, J.)**

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