

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31496 of 2025

Arising Out of PS. Case No.-123 Year-2023 Thana- ARER District- Madhubani

Md. Istekhar, Male, aged about 32 years, S/O Late Istaque, R/O Village-
Kapasias, Nawabganj, P.S- Arer, District- Madhubani

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Tetara Kumari, Advocate
For the Opposite Party : Mr. Bharat Lal, A.P.P.

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

ORAL ORDER

3 12-08-2025 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 Arer P.S. Case No. 123
of 2023 dated 11.08.2023 registered for the offence punishable
under Section 302 of the I.P.C.

3. The prosecution case, in brief, is that on 10.08.2023
the brother of the informant, namely, Md. Nasir (deceased), was
sitting at '*Panchayat Bhawan, Mahraji Pokhra*' where Md.
Istekhar (petitioner) came and told that Md. Nasir (deceased)
had stolen his Rs. 1500/- and a mobile phone and when Md.
Nasir (deceased) refuted his allegation, he was attacked with a
dagger on his neck and he got seriously injured. Thereafter, he



was brought to Sadar Hospital, Madhubani from where he was referred to D.M.C.H., Darbhanga and from where he was referred to P.M.C.H., Patna for his better treatment but on the way, Md. Nasir succumbed to his injuries.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is further submitted that from perusal of the F.I.R., it appears that there was no intention to kill the deceased rather on petty dispute, all of a sudden, as alleged the petitioner attacked on the deceased with knife and got injured him, due to which, he died. The petitioner is a poor man. There is no eye witness to the alleged offence. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail petition. The petitioner is in custody since 11.08.2023.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner and has further submitted that the petitioner is named in the F.I.R. Learned A.P.P. for the State has further submitted that the petitioner assaulted the deceased with knife, due to which, the deceased succumbed to his injuries.

6. Considering the aforesaid facts and circumstances of the case as well as the accusation made against the petitioner,



this Court is not inclined to grant bail to the petitioner and the same is rejected in connection with Arer P.S. Case No. 123 of 2023, pending in the court of learned A.D.J.-03, Madhubani.

7. The application stands rejected.

(Chandra Prakash Singh, J)

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