

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55418 of 2024

Arising Out of PS. Case No.-40 Year-2024 Thana- KATIHAR NAGAR District- Katihar

Ashraf Jahangir Son of Md. Jahangir R/o Village- Mangal Bazar, PS- Nagar,
Dist- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur, Advocate
For the State	:	Ms. Madhuri Lata, APP
For the Informant	:	Mr. Pawan Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

6 10-01-2025 Heard learned counsel for the petitioner, learned APP
for the State as well as learned counsel for the Informant.

2. The petitioner is praying for regular bail in a case registered for the offence punishable under Sections 307, 326, 302/34 of the Indian Penal Code and Section 27 of the Arms Act.

3. The case of the prosecution is that husband of the informant along with his friend, namely, Pritam Kumar and his nephew Udip Kumar went on a four wheeler to attend a date in the civil court, Katihar. At about 4:30 P.M. informant received information that about 4:00 P.M. at Hariganj Chowk, 6-7 miscreants fired indiscriminately at her husband's car. As a result of which her husband along with Pritam Kumar sustained



gun shot injuries. It is also alleged that Udip Kumar has also received injury on his hip. The injured persons were brought to the medical college where the doctor declared her husband and Pritam Kumar dead.

4. Learned counsel for the appellant submits that from perusal of the FIR itself it is clear that the FIR was lodged against unknown miscreants. Udip Kumar is the person who was accompanying the deceased. This witness has stated in his statement before police that his uncle has received a phone from one unknown man after that he told him that let us proceed to Hariganj Chowk. It has also been disclosed by this witness that his uncle had repeatedly called the caller and told him that he is reaching Hariganj Chowk. During course of investigation the petitioner has also given his confessional statement and he confessed his guilt. The CDR of the mobile of deceased was collected by police during investigation. The number which is disclosed in the CDR is the same from which the deceased has received call on the date of the occurrence. From perusal of the case diary it transpired that the location of the mobile number is same and is near place of occurrence at the time of occurrence.

5. During course of hearing, learned counsel for the informant has brought to the notice the order of this Bench



passed in Cr. Misc. 65019 of 2024 dated 26.10.2024 and the order of the learned Co-ordinate Bench passed in Cr. Misc. 67503 of 2024 dated 03.10.2024 wherein bail applications of the co-accused were rejected.

6. Learned APP for the State has also opposed the prayer for regular bail.

7. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is not inclined to enlarge the petitioner on bail.

8. Accordingly, the present bail application stands rejected.

(Ashok Kumar Pandey, J)

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