

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65954 of 2024

Arising Out of PS. Case No.-1 Year-2023 Thana- PURAINI District- Madhepura

Md. Bajo, S/o Late Md. Mohi, R/o vill - Sapardah, ward no. 10, P.S. - Puraini,
Distt. - Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amarnath Jha, Advocate

For the Opposite Party/s : Mr.Chandra Sen Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 17-01-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in connection with Puraini P.S. Case No. 1 of 2023 instituted for the offence under Sections 302/34 of the Indian Penal Code and 27 of the Arms Act which was earlier rejected by the Co-ordinate Bench of this Court vide order dated 13.12.2023 passed in Cr. Misc. No. 61715 of 2023.

3. The case of the prosecution is that the petitioner along with others opened fire at the son of the informant indiscriminately due to which Md. Manohar Alam, the son of the informant sustained gun shot injury and died on the spot.

4. It is submitted by learned counsel for the petitioner that the nature of allegation is general and omnibus and there is no specific overt act against this petitioner. A statement has been



made in para-3 of the petition that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 19.03.2023.

5. Learned APP appearing for the state has vehemently opposed the prayer of regular bail.

6. From perusal of the postmortem report, it is clear that the deceased has received five gun shot injuries. Five cartridges were also recovered from the place of the occurrence.

7. I have also perused the status report according to which charge has been framed on 03.01.2024 whereas no witness has been examined on behalf of the prosecution till 05.10.2024.

8. Having heard the learned counsel for the parties and considering the fact that bail petition of the petitioner has already been rejected earlier by the Co-ordinate Bench of this Court vide order dated 13.12.2023 passed in Cr. Misc. No. 61715 of 2023, this court is not inclined to enlarge the petitioner on bail at this stage and, as such, his prayer for bail stands again rejected.

9. Petitioner will be at liberty to renew his prayer for bail after six months, if the trial is not concluded.

(Ashok Kumar Pandey, J)

lata/-

U		T	
---	--	---	--

