

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80677 of 2024

Arising Out of PS. Case No.-138 Year-2024 Thana- MUFFASIL District- Aurangabad

Shahzad Alam @ Md. Shahzad Alam S/O Ajazuddin Resident Of Village -
Bharthouli Sharif, P.S- Aurangabad Muffasil, Dist.- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rampravesh Nath Tiwari, Advocate

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 18-02-2025 Heard learned counsel for the petitioner and learned
APP for the State. Perused the case diary.

2. The petitioner seeks bail in connection with
Muffasil P.S. Case No. 138 of 2024 G.R. No. 1222 of 2024
instituted for the offences under Sections 302/34 of the Indian
Penal Code.

3. Accusation against the accused persons including
petitioner is of commission of murder of the informant's brother.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case.
Petitioner is not named in the F.I.R. The name of the petitioner



transpired in this case during investigation on the basis of suspicion. No incriminating article has been recovered from the conscious possession of the petitioner. It has been submitted on behalf of the petitioner that the petitioner is in custody since 03.05.2024 and has no criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. Learned APP further submitted that one of the witnesses, namely Md. Azad has specifically stated that the petitioner assaulted the deceased by means of iron rod. Learned APP further submitted that as per paragraph no. 26 of the case diary, this petitioner has confessed his guilt and as per paragraph no. 23 of the case diary, it is evident that the iron rod which was used in the commission of the murder of the deceased has also been recovered from the house of the petitioner. Learned APP has also submitted that the post-mortem report of the deceased also supports the case of the prosecution.

6. Having considered the rival submissions canvassed on behalf of the parties and the material available on record, it appears that the involvement of the petitioner in the commission of the murder of the deceased cannot be discarded and, therefore, this Court is not inclined to grant bail to the



petitioner.

7. Accordingly, the prayer for grant of bail to the
petitioner is, hereby, rejected.

(Rudra Prakash Mishra, J)

Alok Verma/-

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