

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90266 of 2024

Arising Out of PS. Case No.-707 Year-2023 Thana- SASARAM NAGAR District- Rohtas

Naushad Raien @ Lalu @ Md. Naushad Ali son of Ahmad Raien @ Md. Ahmad Rayeen Resident of Village- Shahjuma Sherganj Police Station- Sasaram Town District-Rohtas at Sasaram

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Raghunandan Kumar Singh, Advocate
For the Opposite Party/s	:	Md. Fahimuddin, APP
For the Informant	:	Mr. Kamal Kishor Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

6 27-06-2025 Heard Mr. Raghunandan Kumar Singh, learned counsel for the petitioner, Mr. Kamal Kishor Kumar, learned counsel appearing on behalf of the informant as well as Md. Fahimuddin, learned Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since 16.01.2024 in connection with Sasaram (Town) P.S. Case No. 707 of 2023, F.I.R. dated 07.08.2023 for the offences punishable under Sections 341, 323, 302, 307, 504, 506 and 34 of the Indian Penal Code and Section 27 of the Arms Act.

3. According to prosecution case, this petitioner along with other accused persons fired upon the deceased and one Chand Khan because the deceased demanded his money back from the petitioner which he gave him for a purchase of land. It



is further alleged that this petitioner fired upon the deceased's stomach resulting into his death.

4. Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offences as alleged in the F.I.R. He further submits that from perusal of the FIR that the informant is not the eye witness of the alleged occurrence and the informant has filed the present FIR on the basis of the information furnished by Chand Khan.

5. The learned counsel appearing on behalf of the informant as well as learned Additional Public Prosecutor on the basis of the material available and the case diary have vehemently opposed the prayer for bail of the petitioner and submit that it appears from the FIR that the petitioner has fired upon the informant due to which he received bullet injury in his stomach resulting into his death. Learned counsel for the informant further submits that the statement of Chand Khan as well as Sagufta Parveen (informant) are recorded in S.T. No. 160 of 2024 in which they have fully supported the case of the prosecution and apart from that the postmortem report of the



deceased also supports the allegation as alleged in the FIR. He further informs this Court that the trial has also began.

6. Considering the aforesaid facts and circumstances that there is direct and specific allegation against the petitioner that he has fired upon the deceased, I am not inclined to enlarge the petitioner on bail in connection with Sasaram (Town) P.S. Case No. 707 of 2023 pending in the court of learned Chief Judicial Magistrate, Rohtas at Sasaram.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

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