

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18306 of 2026

Arising Out of PS. Case No.-147 Year-2025 Thana- KATIHAR MUFFASIL District- Katihar

Md. Sarfaraj S/o Md. Nasim Resident of village- Dhusmar, P.S.- Muffasil,
District- Katihar

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimal Kumar

For the Opposite Party/s : Mr.Syed Ehteshamuddin

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

5 25-06-2026 Heard the parties.

2. The petitioner seeks regular bail in connection with S.T. No. 34 of 2026 arising out of Katihar Muffasil P.S. Case No. 147 of 2025 registered for the offence under Sections 61(2), 109, 103(1) of the BNS and under Section 27 of the Arms Act.

3. As per the prosecution case, the petitioner is alleged to be the assailant of the deceased.

4. The petitioner is in custody since 25.07.2025.

5. Learned counsel for the petitioner submits that the petitioner is innocent and in the trial five witnesses have been examined. He next submits that out of five witnesses, one witness, who claims to be the eye witness of the offence, has turned hostile and therefore, the petitioner deserves bail.

6. Considering the fact that the trial is progressing and



also considering the Judgment of the Hon’ble Supreme Court in the case of *X Vs. State of Rajasthan and Anr. reported in 2024 SCC OnLine SC 3539*, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, this application is dismissed.

(Sandeep Kumar, J)

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