

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18808 of 2015

Arising Out of PS.Case No. -121 Year- 2015 Thana -MUFFASIL District-
WESTCHAMPARAN(BETTIAH)

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1. HAROON MIAN son of Late Gaffur Mian,
2. BAITULLAH MIAN son of Late Gaffur Mian, Both residents of village-
Guruwalia, Shivala Tola, P.S.- Manuapul, District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. Sanjay Kumar Sharma (App)

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA**

ORAL ORDER

3 02-07-2015

Heard both sides.

The petitioners seek bail in a case under section
302/34 of the Indian Penal Code.

Father of the deceased disclosed that Akhtar Mian
son of petitioner No. 1 Haroon Mian took Imteyaz with him to see
marriage party in the village . At 10.30 P.M. one Noor Hoda
Ansari is alleged to have informed the informant that his son
Imteyaz is being assaulted by the petitioners and other accused
persons. The informant went there and saw that the petitioners
and others were assaulting Imteyaz, who was brought to the
Hospital but he died.

It is submitted that the informant does not appear

to be an eye witness of the occurrence as he has not at all described that which of the accused was armed with which weapon. The true fact is that the deceased had come to the house of petitioner Haroon Mian to outrage the modesty of his grand daughter and he was caught. The villagers brutally assaulted him for his outrageous acts.

On the other hand, learned counsel for the informant and learned Additional Public Prosecutor submitted that there is no material on record to suggest that the deceased had gone to the house of Haroon Ansari to outrage the modesty of his grand daughter.

Considering the fact that the petitioners and others indiscriminately assaulted Imteyaz and Imteyaz got injuries all over his body and later on succumbed to the injuries, I am not inclined to enlarge the petitioners on bail in connection with Mufassail (Manuapul) P.S. Case No. 121 of 2015 pending in the court of the learned Chief Judicial Magistrate, West Champaran at Bettiah. This application for bail is, accordingly, rejected.

(Prabhat Kumar Jha, J)

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