

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22459 of 2015

Arising Out of PS.Case No. -101 Year- 2014 Thana -KATEYA District- GOPALGANJ

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Hamid Mian @ Hamid Ansari Son of Rasul Miya Resident of village Parsa,
P.S. Kateya, District - Gopalganj.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Naresh Dikshit, Advocate.

For the Opposite Party : Mr. M.K.Khare(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 09-10-2015 Heard both sides.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 302, 201 and 34 of the Indian Penal Code.

The wife of the deceased alleged that her husband took wine at Rajendra Chowk, Jamunaha Bazar. Hamid Mian @ Hamid Ansari, the petitioner also took wine, thereafter, Hamid Mian @ Hamid Ansari and her husband went towards west on a motorcycle and the dead body of the deceased was found in fallow field of Jamadar Ansari.

Learned counsel for the petitioner submits that the informant is not an eye witness of the occurrence. There is no eye witness of the occurrence except one Sanjay Kumar who is said to

be the salesman of wine shop. Sanjay Kumar disclosed that the petitioner and the deceased went on a motorcycle, but nobody has seen the petitioner killing Ram Dayal Yadav.

On the other hand learned counsel for the informant as well as the learned APP vehemently opposed the prayer for anticipatory bail and submitted that Sanjay Kumar has seen the petitioner going along with the deceased and immediately thereafter the dead body of the deceased was found. The post-mortem shows that there was injury on head of the deceased.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner above named on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J.)

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