

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56612 of 2015

Arising Out of PS.Case No. -461 Year- 2013 Thana -KANTI District- MUZAFFARPUR

1. Md. Rashid Sah son of Late Hemi Sah, resident of village- Harchanda,
P.S.- Kanti, Panapur O.P., District- Muzaffarpur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pradeep Kumar Sinha

For the Opposite Party/s : Mr. Ram Anurag Singh (App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 14-12-2015 Heard learned counsels for the petitioner and the State.

The petitioner has renewed his prayer for anticipatory
bail in a case registered for the offences punishable under Sections
147, 149, 342, 302 and 506 of the Indian Penal Code.

The prosecution case is that the petitioner being
Brother-in-Law (Dewar) of the informant and petitioner's son used
to give threatening to the informant. When the son of the
informant went to call the Mukhiya for convening Panchayati, in
the meantime, Md. Rashid Shah, Md. Murtuza Shah @ Bhola
Shah, Jaitun Khatoon, Nazbun Nisha and Jaibun Nisha caught the
deceased husband of the informant namely, Md. Khalil Shah and
Md. Murtuza Shah brutally assaulted him by hammer resulting
into his death.

Earlier bail application of the petitioner being Criminal Miscellaneous No. 28547 of 2014, was permitted to be withdrawn vide order dated 08.12.2014 by a co-ordinate bench of this Court. Now, the petitioner has renewed his prayer for bail on the ground of acquittal of Md. Murtuza Shah @ Bhola Shah and Jaitun Khatoon in Sessions Trial No. 805 of 2014 vide judgment dated 29.08.2015.

This Court is not inclined to release the petitioner on anticipatory bail.

Let the learned court below consider the prayer for regular bail of the petitioner if he surrenders within a period of six weeks in connection with S.T. No. 805 of 2014 arising out of Kanti (Panapur O.P.) P.S. Case No. 461 of 2013

Accordingly, the application is disposed of.

(Dinesh Kumar Singh, J)

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