

one Panga Dada and therefore he is going to meet him. As per the case of the prosecution, Panga Dada is the nick name of the present applicant/accused Shafiqur. Thereafter, her husband did not return. However at around 1.00 hours on 14th July, 2014 two persons from their locality namely Issaq and Atiq Chaha came and reported her that the applicant/accused and the co-accused have assaulted her husband Siraj with sword and gupti and he was lying in injured condition. Thereafter, she rushed to the spot and found her husband in injured condition. She immediately shifted him to Civil Hospital. However, the medical officer declared him dead. Hence, the offence was registered against the applicant/accused. The applicant was arrested on 19th July, 2014. Hence, this bail application.

3. The learned counsel for the applicant/accused has submitted that the applicant/accused is innocent. His nick name is not Panga Dada. She further submitted that statement of Rukyya Shaikh Gafoor is an eye witness of the incident in this case and her statement is inconsistent with the complainant Smt. Faridabano Siraj Ahemad. Therefore, she submitted that the applicant/accused be released on bail.

4. The learned prosecutor has opposed the bail application. He relied on the statement of the eye witness and the postmortem report.

5. Perused the first information report and statement of the eye witness. In the statement of the eye witness Rukayya Shaikh Gafoor, it is specifically mentioned that the applicant/accused has assaulted Siraj with sword. He was attacked by the applicant/accused and his associates. In view of this, *prima facie* there is adequate evidence against the applicant/accused.

6. Hence, the bail application stands rejected.

(MRS.MRIDULA BHATKAR, J.)