

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22537 of 2016

Arising Out of PS.Case No. -386 Year- 2015 Thana -BARH District- PATNA

1. Md. Amzad Imam S/o Late Md. Shafik, resident of Village- Masud Bigha
Postal Park, P.S.- Barh, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Pandey

For the Opposite Party/s : Mr. Indu Bala Pandey(App)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA
ORAL ORDER

3 13-07-2016

Heard the learned counsel for the petitioner, the
learned A.P.P for the State as also the learned counsel for the
Informant.

The petitioner seeks bail in a case for the offences
punishable under sections 364, 326, 379, 448, 324, 354, 307/34
and 302 of the I.P.C

Allegedly, the petitioner and other five FIR named
accused persons came on four wheeler, entered into the shop of
the informant, took out Rs. 30,000/- and forcibly boarded the
informant in the vehicle and thereafter brought him in a lane near
Kasai Khana, assaulted him with iron rod and danda and after
thinking that the informant is dead they fled away. Thereafter, the
informant was brought by the police personnel at the Sadar
Hospital where he regain consciousness and his wife also stated
that the accused persons entered into the house also and took away

cash and ornaments and further tried to outrage the modesty of wife and sister of the informant. During treatment the informant died.

Submission is of false implication and that the prosecution story appears not probable and reliable, there is no specific allegation against the petitioner, no motive has been assigned and without any fault the petitioner is suffering in custody since 07.09.2015 having no criminal antecedent.

The learned A.P.P. duly assisted by the learned counsel for the informant opposes prayer for bail by submitting that the petitioner and others brutally assaulted the informant causing his death and further took away amount of Rs. 30,000/- and also after entering into the house took away cash, ornaments and tried to outrage the modesty of wife and sister of the informant.

In the facts and circumstances as stated above, considering the allegation attributed against the petitioner, at present I am not inclined to enlarge the petitioner on bail and accordingly his such prayer stands rejected in connection with S.T. No. 122 of 2016 arising out of Barh P.S. Case No. 386 of 2015 pending in the court of A.D.J.-VI, Barh, District- Patna.

Abhay/-

(Jitendra Mohan Sharma, J)

U		T	
---	--	---	--