

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23092 of 2016

Arising Out of PS.Case No. -1 Year- 2016 Thana -NIMCHAKBATHANI District- GAYA

1. Md. Shakil @ Md. Shakil Ahmad son of Md. Alidas, Resident of village-
Manjhoul, P.s.- Nimchak, Bathani, District- Gaya

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar Singh

For the Opposite Party/s : Mr. Sunil Kr Pandey(App)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 28-07-2016 Heard both sides.

The petitioner apprehends his arrest in Nimchak Bathani P.S. case No.01/2016 under Section 302/34 of the Indian Penal Code and under Section 27 of the Arms Act.

The informant named the petitioner along with other accused persons and alleged that petitioner and others overtook his vehicle and petitioner, Md. Shakil and his brother, Md. Wakil, opened fire which hit on the head of father of informant and father of informant died on the spot. Md. Imran is also said to have fired which hit Kalo Miyan.

The learned counsel for the petitioner submits that petitioner is a teacher and he was even not present at the place of occurrence. The petitioner was present in his school and on

account of his brother, Md. Wakil, he has been dragged in many criminal cases, including the present one.

The learned Additional Public Prosecutor, however, opposed the prayer for anticipatory bail.

It appears that there is direct allegation against the petitioner and his brother, Md. Wakil, that they both fired causing injury on the head of father of informant and father of informant died on the spot.

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

(Prabhat Kumar Jha, J)

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