

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17239 of 2016

Arising Out of PS.Case No. -345 Year- 2014 Thana -SIMRI BAKHTIARPUR District- SAHARSA

=====

Ali Alam, Son of Md. Rajik, resident of Village - Samastipur, P.S.
Bakhtiarpur, District Saharsa.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance:

For the Petitioner/s : Mr. Obaidur Rahman, Advocate.

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 18-07-2016

Heard both sides.

The petitioner apprehends his arrest in Bakhtiarpur
(Simari Bakhtiarpur) P.S. Case No. 345/2014 registered under
Sections 302/34 of the Indian Penal Code.

The allegation against the petitioner is that the
petitioner kept the wife of the informant in his house and when the
informant objected, the petitioner abused him. The informant went
to his house and reported about the fact to his father. Thereafter
the informant along with his father went to the petitioner's house
and asked him as to why he had kept the wife of the informant. On
such, on the order of the mother-in-law of the informant, the
petitioner assaulted the father of the informant with lathi. It is
submitted that the backbone of the father of the informant is said
to have been broken but the father of the informant ran to his

house. In fact, the father of the informant did not receive any injury on account of the assault made by the petitioner and he died due to cardiac arrest.

It appears that there is a specific allegation against the petitioner that he assaulted the father of the informant with lathi on his neck and shoulder. Neck bone was found fractured, on account of which, the father of the informant died.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner on anticipatory bail in Bakhtiarpur (Simari Bakhtiarpur) P.S. Case No. 345 of 2014. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

Dilip/-

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