

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34233 of 2016

Arising Out of PS.Case No. -176 Year- 2014 Thana -POTHIYA District- KISANGANJ

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Matiur Rahman @ Matel Son of Late Maqbool Hussain resident of Village-
Adhikari Police Station- Paharkatta, Dist- Kishanganj.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Firoz Ahmad
For the Opposite Party/s : Mr. Ajay Kumar -2
For the Informant : Mr. Sarangdhar Jha

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 09-12-2016 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

The petitioner is apprehending his arrest in connection
with Pothiya P.S. Case No. 176 of 2014 for the offences instituted
under Sections 302, 201/34 of the Indian Penal Code.

The allegation against the accused persons including
the petitioner is of committing murder of the deceased.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. There is no allegation
of tampering of witnesses alleged against the petitioner. He has
falsely been implicated in the present case. There is no eyewitness
to the alleged occurrence nor there is any circumstantial evidence
to suggest his implication in the present case.



On behalf of the State and the counsel for the informant, it has been submitted that the petitioner is named in the F.I.R. and the anticipatory bail application of other co-accused have been rejected by another co-ordinate Benches of this Court.

Considering the aforesaid facts and circumstances, I am not inclined to extend the privilege of anticipatory bail to the petitioner. Prayer for anticipatory bail of petitioner is rejected in connection with Pothiya P.S. Case No. 176 of 2014, pending in the Court of learned Sessions Judge, Kishanganj.

Anyhow if the petitioner surrenders in the court below within a period of six weeks from today, the same shall be considered on its own merit without being prejudiced by this order.

(Sudhir Singh, J.)

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