

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53417 of 2016

Arising Out of PS.Case No. -55 Year- 2010 Thana -MINAPUR District- MUZAFFARPUR

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1. Md. Taslim S/o Bipat Mian @ Rahmat Ali, Resident of Village- Prasad,
P.S.- Minapur, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar @ S.K., Advocate

For the Opposite Party/s : Mr. Akbar Ali, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 20-12-2016 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in Trial
No.2721 of 2016 arising out of Minapur P.S. case No.55 of 2010
registered under Sections 302/34 of the Indian Penal Code,
pending before the court of Sri Amit Kumar Dixit, Judicial
Magistrate, 1st class, Muzaffarpur.

Allegation is that the petitioner and one Md. Iliyas
pressed the neck of the sister of the informant by orhani, due to
which she died.

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. The



petitioner has falsely been implicated in the present case. The police has submitted charge sheet against the petitioner merely on the basis of suspicion. There is no substantive evidence to suggest the implication of the petitioner. As far as the other co-accused are concerned, final form has been submitted against them.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R. The informant has claimed to be the eye witness to the occurrence.

Considering the aforesaid facts and circumstances, I am not inclined to extend the privilege of anticipatory bail to the petitioner. Prayer for anticipatory bail is rejected.

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)

Narendra/-

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