

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39910 of 2016

Arising Out of PS.Case No. -91 Year- 2015 Thana –BHARGAMA District- ARRARIA

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Md. Mukhtar Son of late Ibrahim Resident of Village- Baijupatti, Police
Station- Bhargama in the district of Araria.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prabhu Narayan Sharma, Adv.

For the Opposite Party/s : Mr. Satyavarat Verma, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 28-10-2016 Heard both sides.

The petitioner apprehends his arrest in Bhargama P.S.
Case No. 91/2015, registered for the offences punishable under
Section 302 and other sections of the Indian Penal Code and
Section 27 of the Arms Act.

The informant alleged that the petitioner and other
accused persons came to the house of the deceased Md. Nayeem.
Md. Mukhtar (petitioner), Md. Naushad and Md. Shakur dragged
Md. Nayeem to his darwaja and petitioner fired which hit on the
chest of the deceased Md. Nayeem. When Md. Moin brother of
Md. Nayeem came to save him Md. Naushad assaulted him with
sword. Others were also assaulted by the accused persons.

Mr. Akhileshwar Prasad Singh learned counsel for the

petitioner submits that from perusal of the F.I.R. it appears that the informant is not an eye-witness of the occurrence. On account of land dispute the petitioner has falsely been implicated in the case, but it appears that it was the petitioner who shot at Md. Nayeem and killed him. The injured witnesses have reiterated the same facts.

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

(Prabhat Kumar Jha, J.)

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