

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 34432 of 2016

Arising Out of PS.Case No. -181 Year- 2016 Thana -LAHERIASARAI District- DARBHANGA

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Md. Alauddin son of Md. Jasim Nadaf, resident of Mohalla- Khajasarai,
Police Station- Laheriasarai and District- Darbhanga.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Girish Chandra Jha

For the Opposite Party/s : Mr. Damodar Prasad Tiwary

Mr. Iqbal Asif Neyazi

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2. 01-09-2016 Heard Sri Girish Chandra Jha, learned counsel for the petitioner, Sri Damodar Prasad Tiwary, learned Addl. Public Prosecutor as well as Mr. Iqbal Asif Neyazi, learned counsel, who has voluntarily appeared on behalf of informant.

The sole petitioner, who is named as accused in Laheriasarai P.S. Case No. 181 of 2016 registered for offence under Section 302 and other allied sections of the Indian Penal Code, has prayed for grant of anticipatory bail.

It was submitted by learned counsel for the petitioner that save and except allegation that petitioner had called the son of the informant, who was later on murdered, there is no other material, whereas, learned counsel for the informant submits that in the case diary besides allegation in the F.I.R., further material

has been collected, which suggests that petitioner was one of the main conspirator and such fact has been disclosed in number of paragraphs of the case diary, which was referred by the learned Sessions Judge, Darbhanga, while rejecting the anticipatory bail petition of the petitioner.

In view of the fact that petitioner is one of the named accused in the F.I.R. and the fact that it is a case under Section 302 of the Indian Penal Code, I am not inclined to extend the privilege of anticipatory bail.

Dismissed.

(Rakesh Kumar, J.)

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