

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22011 of 2017

Arising Out of PS.Case No. -22 Year- 2017 Thana -MANIHARI District- KATIHAR

=====

1. Md. Jalaluddin @ Jalaluddin Son of Late Syed Supan Ali, Resident of
Village- Khushalpur, P.S.- Pranpur, District- Katihar (Bihar).

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Y. B. Giri, Sr. Advocate
Mr. Pranav Kumar, Advocate
Mr. Ashish Giri, Advocate

For the Opposite Party/s : Mr. Sunil Kumar Pandey, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 01-07-2017 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 341, 323, 324, 326, 307 and 379/34 of the Indian Penal Code.

According to First Information Report, this petitioner intercepted the informant while he was returning on a motorcycle to his house and bitterly assaulted even with dagger with the help of other unknown person. There is allegation of commission of theft also.

The Doctor has found three lacerated wound on the head of the informant besides other seven injuries on different part of the body.



Learned counsel for the petitioner submits that false implication is there at the instance of witness Lila Devi with whom the petitioner got enmity. He further submits that the Supervisory Authority has found that the informant was himself a man of dubious character and from the place where injured was found some other objectionable material substantiating his involvement in sexual activities was also recovered.

Learned counsel for the State submits that supervision note cannot be looked into as evidence for the purpose of charges against the informant and there is no other material to substantiate the reason for false implication of the petitioner.

Considering the nature of allegation against the petitioner, especially, the fact that he had knowledge that his act might cause death, I am not inclined to grant anticipatory bail to the petitioner in connection with Manihari Police Station Case No. 22 of 2017 pending in the Court of learned Chief Judicial Magistrate, Katihar.

Hence, prayer for bail is refused.

(Birendra Kumar, J)

Kundan/-

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

