

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51247 of 2016

Arising Out of PS.Case No. -45 Year- 2016 Thana -MUSRIGHARARI District- SAMASTIPUR
=====

1. Md. Adil

2. Md. Wahid

Both sons of Md. Alle Hasan, resident of village-Chausima, Police Station-
Musari Gharari District-Samastipur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s
=====

Appearance :

For the Petitioner/s : Mr. Choudhary Shyam Nandan, Advocate

For the Opposite Party/s : Dr. Indihar Kumari, A.P.P.
=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

3 17-01-2017 Heard learned counsel for the petitioners and the

State.

The petitioners seek anticipatory bail in a case
instituted for the offence under Sections 341, 323, 379, 307 and
452/34 of the Indian Penal Code.

It is alleged that on the date of occurrence, petitioner
along with four other unknown persons whom the informant could
not identify, entered into the house of the informant and started
assaulting her. Md. Adil (petitioner No. 1) assaulted the informant
with lathi on her head with intention to kill causing cut injury in
her head. It is further alleged that when her husband Zahirul
Hasan and Dewar Anzarul Hasan came to save her, they were also
assaulted by both the petitioners and four others with lathi and
danda causing serious injuries to them resulting which her
husband died in course of treatment. Further, Md. Adil took away



golden jewellery worth Rs.35,000/- from Godrej Almirah kept in the house of the informant.

In the instant case, case diary has been received. The witnesses in paragraphs-8, 9, 10 and 12 have supported the allegation against the petitioners of assaulting the informant and other including the husband. The postmortem report of the deceased husband is available with the case diary wherein doctor in paragraph-115 has opined the injuries caused by hard and blunt substance.

Considering the aforesaid facts that since there is direct allegation against the petitioners, this Court is not inclined to grant anticipatory bail to them

The prayer for anticipatory bail of the petitioners stands rejected.

However, the petitioners are directed to surrender before the court below and make prayer for regular bail which shall be disposed off by the court below on same day without being prejudiced by the order of this Court.

(Sanjay Priya, J)

S.Ali/-

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

