

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.45320 of 2016**

Arising Out of PS.Case No. -349 Year- 2014 Thana -MADHUBANI TOWN District-  
MADHUBANI

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Md. Murtuja Son of Faridul Haque Resident of Village- Kharara, P.S. and  
District- Madhubani.

.... .... Petitioner

Versus

The State of Bihar

.... .... Opposite Party

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**Appearance :**

For the Petitioner : Mr. Ratanakar Jha, Advocate

For the Opposite Party : Mr. Sri Khurshid Anwar (APP)

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**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA**  
**ORAL ORDER**

4      11-01-2017                      Heard learned counsel for the petitioner and  
learned Addl. Public Prosecutor.

The petitioner prays for anticipatory bail in  
connection with Town P.S. case no. 349 of 2014 registered for the  
offence punishable under Sections 307 and other sections of the  
Indian Penal Code.

It is submitted on behalf of petitioner that main  
allegation is against one Akbar Ali and the only allegation against  
petitioner and others is that they have assaulted the informant and  
there is nothing else against the petitioner and also there is earlier  
enmity between the parties.

Heard learned A.P.P. also. Learned A.P.P. has  
opposed the prayer for bail and stated that there is allegation of



assault against this petitioner, as such, petitioner does not deserve anticipatory bail.

In view of the above facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail. Accordingly, the prayer for anticipatory bail against petitioner Md. Murtuja stands rejected. However, he may surrender before the court below for regular bail and the court below will dispose of the matter on its own merit without being prejudiced by the order of this Court.

With these observations, this bail application is disposed of.

**(Vinod Kumar Sinha, J.)**

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