

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46806 of 2016

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

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Abdullah S/o Sahabuddin, Resident of Village- Kharra, P.S. and District-
Madhubani.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mrs. Soni Shrivastava, Adv.

For the Opposite Party/s : Mr. Sri Khurshid Anwar

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR

JHA

ORAL ORDER

4 11-01-2017 Heard both sides.

The petitioner apprehends his arrest in Town P.S.
Case No. 349/2014, registered for the offences punishable under
Section 307 and other sections of the Indian Penal Code and
Section 27 of the Arms Act. Later on, Section 302 of the Indian
Penal Code was added.

The informant alleged that Akbar Ali and Md. Reja
@ Supi were quarrelling with each other. Akbar Ali shouted to
teach a lesson and he came with his pick-up van. Akbar Ali firstly,
fired on Md Reja @ Supi, but the firing did not hit him.
Thereafter, Akbar Ali dashed Md. Reja @ Supi with his pick-up
van and Md. Reja got injured. It is further submitted that while the



informant was taking Md. Reja for treatment to Madhubani, petitioners and others intercepted the vehicle, assaulted the informant and other occupants of the vehicle including Md. Reja. Thereafter, the informant was brought to his house on a cot and again sent to the hospital for treatment.

Ms. Soni Shrivastava learned counsel for the petitioner submits that petitioner is not the assailant of Md. Reja (deceased). The informant is alleged to have been brutally assaulted by the petitioner and others, but he got only one injury in his left hand finger and the petitioner is an accused in a case instituted by the informant that is why the informant has falsely implicated the petitioner in this case, but from perusal of F.I.R. and the statement of the witnesses, it appears that firstly, Akbar Ali violently dashed Md. Reja with his vehicle and Md. Reja got injured. While Md. Reja was being brought to the hospital this petitioner and other accused persons intercepted the vehicle, assaulted the informant and others and did not allow them to take the injured Md. Reja to the hospital. Petitioner and other accused persons assaulted the informant and others. The deceased also got altogether six injuries on different parts of his body.

Considering the facts aforesaid and nature of allegation made against the petitioner, 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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