

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16549 of 2017

Arising Out of PS.Case No. -107 Year- 2016 Thana -AWADPUR District- KATI HAR

=====

Mastuf @ Mustuf, Son of Late Abdul Rahman, Resident of Village - Gorhal, Police Station - Itahar, District - Uttar Dinajpur (West Bengal).

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Raj Kumar

For the Opposite Party/s : Mr. Md. Anzarul Haque Sahara

=====

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

4 15-11-2017 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Abadpur P.S. Case No. 107 of 2016, registered under Section 302 of the Indian Penal Code, pending in the court of Chief Judicial Magistrate, Ktihar.

The accusation is that in the night of 08.10.2016, Saddam Hussain, son of the informant, Kalimuddin, was sleeping in his house along with his nephew and cousin, Mohiuddin and Akash. At that time, Akash raised alarm about firing on Saddam Hussain from window. Thereafter, Saddam Hussain, was rushed to Barsoi Hospital for treatment, from where, he was referred to Katihar Medical College, but he died in the way. Further



allegation is that there was love affairs in between his son, Saddam Hussain, and Adowari, daughter of Sadik before one year, but Sadik wants to performed the marriage of her daughter with Mastuf (petitioner). Before two months, petitioner had threatened his son, Saddam Hussain, of dire consequences.

Learned counsel for the petitioner submits it would appear from the F.I.R. that only suspicion has been raised against the petitioner having hand in the murder of Saddam Hussain, son of the informant, due to love affairs in between Saddam Hussain, son of the informant and Adowari, daughter of Sadik and Sadik fixed the marriage of his daughter with the petitioner.

Having considered the facts and circumstances of the case and the nature of allegation against the petitioner, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, his prayer for grant of anticipatory bail stands rejected. The petitioner is directed to surrender before the trial court within four weeks and pray for regular bail, which would be considered by the trial court in accordance with law without being prejudiced by the order of this Court.

(Rajendra Kumar Mishra, J)

Bhardwaj/-

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

