

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28466 of 2017

Arising Out of PS.Case No. -269 Year- 2016 Thana -GARKHA District- SARAN

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1. Imamuddin Son of Md. Wahid Resident of Village-Garkha, Police Station Garkha District Saran at Chapra.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Ban Bihari Singh

For the Opposite Party/s : Mr. Sri Surendra Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

3 21-08-2017

Heard both sides.

The petitioner apprehends his arrest in Garkha P.S. case No. 269 of 2016 for the offences punishable under Section 302 and other Sections of the Indian Penal Code and under Section 27 of the Arms Act.

The informant named the petitioner along with nine other accused persons and 25-30 unknown persons and alleged that they all, having armed with different weapons, came to the shop of Md. Sabir, Ansar, Kyamuddin and Sahabuddin and ransacked their shops. Santosh Singh and Sunil Sing made indiscriminate firing causing injury to the uncle of informant and Tausif Raja. During the course of treatment Md. Sabir died.

The learned counsel for the petitioner submits that



the petitioner is, of course, named in the FIR but no specific allegation of assault is made against the petitioner. There is very specific allegation against Santosh Singh and Sunil Singh that they fired causing death of Md. Sabir and also causing injury to other persons but it appears that petitioner and others formed unlawful assembly and came to the shop of uncles of the informant and ransacked the entire shop. Thereafter, two persons made indiscriminate firing.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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