

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.35207 of 2018

Arising Out of PS.Case No. -17 Year- 2018 Thana -MUFFASIL District- WEST CHAMPARAN
(BETTIAH)

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Zakir Ansari, Son of Muslim Mian, resident of Village- Naya
Tola Laptahi, Police Station- Manuapul, District- West
Champaran at Bettiah.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raghunandan Kumar, Adv.

For the Opposite Party/s : Mr. Manish Kumar-2, APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

3 09-07-2018 This application for grant of regular bail arises out of Bettiah (Muffasil) Manuapul P.S. Case No. 17 of 2018, dated 13.01.2018, which was initially instituted for the offences under Sections 147, 148, 149, 341, 342, 447, 323, 324, 307, 376, 511, 504 and 506 of the Indian Penal Code. Later, Section 302 of the Indian Penal Code and Section 8 of the Prevention of Children from Sexual Offences Act, 2012 were also added.

The petitioner is alleged to have made attempts to commit rape upon the daughter of the deceased, but with the timely intervention of the informant and the



deceased, the daughter of the deceased could be anyhow saved. Later, the father of the victim girl (deceased) was assaulted by the petitioner and others, leading to his death.

Learned counsel for the petitioner, for the purposes of grant of bail, has submitted that in the F.I.R., there is allegation that several persons assaulted the deceased by means of hard and blunt substance and there is no specific charge alleged against the petitioner.

The cause of death is stated to be a single injury on the parietal region of the body of the deceased.

In that event, it has been submitted on behalf of the petitioner that he cannot be said to be the assailant of the deceased. It has further been submitted that the allegation of attempt to rape has only been added by the informant to add serious colour to the offence.

However, regard being had to the accusation levelled against the petitioner and the death of the deceased because of the assault perpetrated upon him, I am not inclined to grant bail to the petitioner for the present.

The prayer for bail is, accordingly, rejected.

(Ashutosh Kumar, J)

Praveen-II/-

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