

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8795 of 2018

Arising Out of PS.Case No. -131 Year- 2017 Thana -KOCHADHAMAN District- KISANGANJ

- =====
1. Amir Raza @ Md. Amir Raza, Son of Late Hasiburahman.
 2. Ajmeri, Wife of Late Hasiburahman.
- Both are Resident of Village- Bishanpur, Police Station- Kochadhaman in the district of Kishanganj.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 17-02-2018 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Kochadhaman P.S. Case No.131 of 2017 registered under Sections 302 and 120(B)/34 of the Indian Penal Code.

The accusation is that due to quarrel in between the sister of the informant and her mother-in-law Ajmeri (petitioner no.2), Hasan Raza and the petitioner no.1 Amir Raza alias Md. Amir Raza, the brothers-in-law of the sister of the informant, caused injury to the sister of the informant through knife, due to which she fell down. While the sister of the informant was rushed to the



hospital for treatment but she was declared brought dead.

Learned counsel appearing on behalf of the petitioners submits that it would appear from the F.I.R. itself that while the petitioners are named in the F.I.R. but the specific allegation is against the petitioner no.1 and the co-accused Hasan Raza to cause injury to the sister of the informant through knife. It is also submitted that in her restatement, the informant has specifically stated that the injury was caused to the deceased by the co-accused Hasan Raza.

Having considered the facts and the circumstances of the case, let the petitioner no.2, above named, in the event of her arrest or surrender by her within six weeks from today, be enlarged on bail on her furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate-I, Kishanganj, in connection with Kochadhaman P.S. Case No.131 of 2017/G.R. No.1408 of 2017, subject to the conditions laid down under Section 438(2) Cr.P.C.

So far as the petitioner no.1, above named, is concerned, considering the nature of allegation against him, I am not inclined to grant anticipatory bail to the petitioner no.1, above named. Accordingly, the prayer of the petitioner no.1, above named, for



grant of anticipatory bail stands rejected.

This application is, accordingly, disposed of.

(Rajendra Kumar Mishra, J)

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