

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18602 of 2018

Arising Out of PS. Case No.-279 Year-2017 Thana- ARARIA District- Araria

Mahboob, Son of Abdullah, Resident of Village- Bangama, P.S. Araria,
District- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Ziaul Quamar, Advocate

For the Opposite Party/s : Mr. Binod Kumar 3, APP

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

5 14-05-2018 Heard learned counsel for the petitioner and the
State.

The petitioner apprehends arrest in Araria P.S. Case
No. 279 of 2017 instituted for the offence under Sections 302/34
of the IPC.

In the written report, it is alleged that all these
petitioners assaulted the sister of the informant with fatti, iron
rod etc. indiscriminately and she died subsequently, on account
of aforesaid assault.

The informant wanted to rescue his sister but he was
also assaulted by the accused persons. The post-mortem report
is available in the case diary, which shows that the deceased
sustained two injuries on her vital part of the body. The doctor
has found the age of injuries 24 hours before the post-mortem.



In such circumstances, there is specific allegation of over act against the petitioner. Therefore, this Court is not inclined to grant anticipatory bail to the petitioner.

Accordingly, this anticipatory bail petition stands rejected.

The petitioner is directed to surrender in the court below within six weeks from today and seek regular bail which will be considered by the court below in accordance with law, without being prejudiced by this order.

(Sanjay Priya, J)

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