

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32571 of 2018

Arising Out of PS. Case No.-331 Year-2017 Thana- JOGAPATTI District- West Champaran

Allauddin Ansari, S/o Late Ishaque Ansari, R/o Vill.- Semari Bhawanipur,
P.S.- Jogapatti (Nawalpur), District- West Chmaparan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Rashmi Jha, Advocate

For the Opposite Party/s : Mr. Akbar Ali, APP

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

4 07-08-2018 Heard learned counsel for the petitioner and the

learned counsel appearing on behalf of the State.

The petitioner is in custody since 25.09.2017 in connection with Sessions Trial No.107 of 2018, arising out of Jogapatti (Nawalpur) P.S. Case No.331 of 2017, registered for the offence under Sections 147, 148, 149, 341, 323, 324, 307, 302, 447, 448 of the Indian Penal Code, which is pending in the court of the learned 3rd Additional Sessions Judge, West Champaran, Bettiah.

Learned counsel for the petitioner submits that the allegation of assault over the head of the deceased by means of *Lathi* has been attributed to the petitioner. The further allegation levelled against one Jallabuddin Ansari is that he



had also assaulted the deceased by means of iron rod. Learned counsel for the petitioner, however, submits that only one injury was found on the head of the deceased and, therefore, it cannot be conclusively said that the assault was attributed to the present petitioner.

Diary in the present case was called for, which has since been received.

Learned counsel appearing on behalf of the State after perusal of the case diary, including the post-mortem examination report, submits that two injuries have been found on the head of the deceased and have been attributed to this petitioner and, therefore, he may not be extended the privilege of bail.

Having considered all facts and circumstances of the case, I am not inclined to grant regular bail to the petitioner. It is, accordingly, rejected.

(Anjana Mishra, J)

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