

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3337 of 2019

Arising Out of PS. Case No.-120 Year-2018 Thana- MANSAHI District- Katihar

Muko @ Muhiuddin @ Mofzuiddin, Late Ansur Rahman, Resident of Village-
Ratanpur Hari Prasad, P.S.- Mansahi, District- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Jha

For the Opposite Party/s : Mr.Arun Kumar Pandey

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

4 03-05-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Mansahi P.S. Case No. 120 of 2018 registered under
Sections 302 of the Indian Penal Code and Section 27 of the
Arms Act.

The accusation is that informant along with his
brother, Gulsan Kumar and father, Bipin Bihari Kumar were
present at their field. At that time, five persons named in the
F.I.R. including the petitioner and four unknown variously
armed with weapons reached at the field of the informant.
Thereafter, petitioner caused injury at the mouth of his father,
Bipin Bihari Kumar through butt of Rifle and opened fire
whereas Jakir caused injury through the pointed iron rod at the



ear of his father and Sandeep Kumar also caused injury near the eye of his father. In the meantime, Prem Kumar assaulted to his father through lathi causing injury at his stomach and Ambuj caused injury at the mouth of his father through butt of pistol, in which, his father become senseless. While his father was rushed at Sadar Hospital, Mansahi, from where, his father was referred to KMCH and thereafter, his father was also referred to Siligudi but his father died in the way.

Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case due to ulterior motive.

Having considered the facts and circumstances of the case and the nature of allegation against the petitioner, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, his prayer for grant of anticipatory bail stands rejected. The petitioner is directed to surrender before the trial court within four weeks and pray for regular bail, which would be considered by the trial court in accordance with law without being prejudiced by the order of this Court.

(Rajendra Kumar Mishra, J)

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