

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7927 of 2019

Arising Out of PS. Case No.-739 Year-2018 Thana- ARA NAGAR District- Bhojpur

TAUSEEF MIAN @ TAUSIF ALAM @ MOHAMMAD TAUSEEF ALAM
Son of Mohammad Akhtar Alam Resident of Mohalla- Khetari, Near Chotu
Doctor, Ara

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Shailendra Kumar
For the Opposite Party/s : Mr.Pawan Kumar Chaurasia

**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN
SINGH**

ORAL ORDER

2 11-02-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Ara
Town P.S. Case No. 739 of 2018 for the offence under Sections
387, 302 and 307/34 of the Indian Penal Code and Section 27 of
the Arms Act.

There are nine persons named in the First Information
Report including this petitioner. There is specific allegation
made in the First Information Report that all of them came and
demanded extortion of a sum of Rs. 10 lakhs from the
informant's brother. When the informant's brother refused to
yield, all of them indiscriminately fired upon him leading to
multiple injuries in his body whereafter he died on the spot. It
is also alleged that two other co-accused persons opened fire
aiming the informant, which too caused injuries.



Learned counsel appearing on behalf of the petitioner has submitted that there is no specific allegation of assault against this petitioner and, therefore, he deserves anticipatory bail. He has also submitted that the petitioner is student of M.B.A. and, therefore, there is bleak chance of his involvement in commission of above offence.

Be that as it may, there is direct allegation made by the informant in his written report regarding petitioner's involvement.

Considering the seriousness of the offence, I am not inclined to grant the petitioner privilege of anticipatory bail. This application is rejected.

The petitioner is directed to surrender before the Court below within a period of four weeks from today and seek regular bail, if so advised. If he does so, his application for regular bail shall be considered by the learned Court below on its own merit without being prejudiced by rejection of present application for grant of anticipatory bail.

(Chakradhari Sharan Singh, J)

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