

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10982 of 2019

Arising Out of PS. Case No.-250 Year-2017 Thana- BAUSI District- Purnia

MUSTAKIM Son of Late Gayasuddin Resident of Village- Masnadpur,
Chatangi Hat, P.S.- Baisi, District- Purnea.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kamal Kishore Jha

For the Opposite Party/s : Mr.Ram Sevak Choudhary

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 26-04-2019 Heard learned counsel for the parties.

The petitioner is apprehending his arrest in connection with Baisi P.S.Case No.250 of 2017 dated 17.12.2017 registered for offences punishable under Sections 147, 148, 149, 341, 323, 324, 307, 379, 427 of the Indian Penal Code and Section 27 of the Arms Act and later on Section 302 of the IPC was added..

Allegation against the petitioner is of assault by *Farsa* to the deceased, causing his death.

Submission of the learned counsel for the petitioner is that the allegation is falsified by the postmortem as no sharp cut injury was found on the person of the injured.

Heard learned A.P.P. and the learned counsel for the informant. They have opposed the prayer for bail stating that



there is direct allegation against the petitioner of assault and the deceased succumbed to the injuries. .

Having heard both sides and in view of the facts and circumstances, as stated above, I am not inclined to grant privilege of anticipatory bail to the petitioner, however, the petitioner is directed to surrender before the learned court below within a period of six weeks from the date of receipt of the order and make prayer for regular bail, which will be considered by the learned court below on its own merit..

With the aforesaid direction, this application is dismissed.

(Vinod Kumar Sinha, J)

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