

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1333 of 2019**

Arising Out of PS. Case No.-241 Year-2018 Thana- AAJAM NAGAR District- Katihar

MD. MERAJ ALAM @ MERAJ ALAM Son of Late Allauddin Resident of
Village- Nandiyar Shikarpur, P.S.- Balia Belone, District- Katihar.

... .. Appellant/s

Versus

The State of Bihar Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Md. Rahmatullah
For the Respondent/s : Mr.Usha Kumari 1

**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL JUDGMENT**

Date : 05-04-2019

Heard the parties.

The appellant is apprehending his arrest in connection with Azam Nagar P.S.Case No.241 of 2018 , registered for offences punishable under Sections 302, 120(B)/34 of the Indian Penal Code, Section 27 of the Arms Act and Section 3(2)(v) of SC/ST (Prevention of Atrocities) Act.

Allegation as per FIR is that the husband of the informant had gone for Panchayati on the call of one Maroof Alam where this appellant and others were also sitting from before and thereafter her husband left the place and later one she came to know that Maroof Alam who is his friend has killed her husband.

Submission of the learned counsel for the appellant is that except suspicion there is nothing against him and he has no criminal antecedent. The deceased was a veteran criminal.



Heard learned Special P.P., who has opposed the prayer for bail on the ground that the case is under Section 302 of the IPC and the appellate is named in the FIR, as such the appellant is not entitled of the privilege of the anticipatory bail.

Having heard both sides, considering the facts and circumstances of the case, I am not inclined to grant privilege of anticipatory bail rather let the appellant surrender before the learned Special Judge 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 special judge on the basis of materials available on the record and if possible to be disposed of on the same day.

Accordingly, this appeal is dismissed.

(Vinod Kumar Sinha, J)

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Uploading Date	
Transmission Date	

