

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35190 of 2019

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

Md Zakir Hussain @ Zakir, Son of Late Ansur Rahman @ Anisur Rahman,
Resident of Village - Ratanpur Hari Prasad, P.S.- Mansahi, Dist.- Katihar.
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimal Kumar, Advocate
For the Opposite Party/s : Mr. Abhay Kumar, APP

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 26-08-2019 This is an application for grant of anticipatory bail in connection with Mansahi P.S. Case No. 120 of 2018, disclosing offences under Section 302 of IPC and Section 27 of the Arms Act.

Allegation as per the F.I.R. is that accused persons including the petitioner attacked his father and he was assaulted by butt part of the rifle and thereafter, he was shot and further allegation that he has assaulted by a rod and further allegation against the other accused is also of assault.

Submission of learned counsel for the petitioner is that though there are allegation against the petitioner of assault by and there are allegation against other accused also, but except the firm arm injury has been found during the postmortem and he has no criminal antecedent.

Heard learned APP also, who opposed the prayer



for anticipatory bail on the ground that the prosecution case as alleged in the F.I.R. has been supported by the witnesses, which will appear from the paras 12 and 13 of the case diary, in which, the witnesses have also stated that similar to that of the prosecution. There is allegation against this petitioner is also of assault to the deceased.

Having heard both sides, 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 may move before the learned court below for regular bail which will be considered by the learned court below on the materials available on the record, and if possible, be disposed of on the same day.

With the aforesaid, this application is dismissed.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

U		T	
---	--	---	--

