

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6569 of 2020

Arising Out of PS. Case No.-120 Year-2017 Thana- KOTWA District- East Champaran

ZIYAUL HAQUE @ JIAUL HAQUE, S/O Akbar Alam, R/O Village -
Pokhara Shekh Toli, P.S. - Kotwa, District - East Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Vagisha Pragya Vacaknavi, Adv.
For the Opposite Party/s : Mr. Anita Kumari Singh (APP)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 29-06-2020 The proceedings of the Court are being conducted
through Video Conferencing and the Advocates joined the
proceedings through Video Conferencing from their residence.

Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner, apprehends his arrest in Kotwa P.S. Case
No. 120/2017 registered for the offences punishable under
Sections 120-B, 323, 307, 504, 379/34 and Section 302 of the
Indian Penal Code.

Allegation against petitioner is of giving Farsa
blow on the head of husband of the informant, as a result of
which he sustained injury on his head and subsequently he died
during treatment.

It has been submitted on behalf of the petitioner
that he is innocent and has committed no offence. Both the



parties are own pattidar and there is land dispute between them. Similarly placed co-accused, namely, Akbar Alam has been granted anticipatory bail by a co-ordinate Bench of this Court vide order dated 30.07.2018 passed in Cr. Misc. No. 22327 of 2018. Petitioner has got no criminal antecedent.

Considering the direct allegation against petitioner, I am not inclined to enlarge the petitioner on anticipatory bail. Hence, the prayer for bail of the petitioner is hereby rejected at this stage.

However, if petitioner surrenders and seeks regular bail then his prayer for regular bail shall be considered on its own merits without being prejudiced by this order.

(S. Kumar, J)

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