

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16149 of 2020

Arising Out of PS. Case No.-128 Year-2019 Thana- KHANPURA District- Samastipur

1. PHUL HASAN @ PHOOL HASAN @ PHUL MD. MIYAN Son of Late Suleman Resident of Village - Purushottampur Annu, P.S.- Khanpur, Distt - Samastipur.
4. Md. Mumtaj Son of Moti Miyan Resident of Village - Purushottampur Annu, P.S.- Khanpur, Distt - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vinay Kumar Mishra
For the Opposite Party/s : Mr.Ramchandra Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 16-09-2020 This matter is taken up for consideration through Video Conferencing under the orders of Hon'ble the Chief Justice.

Heard counsel for the parties.

The petitioner apprehends his arrest in Khanpur P.S. Case No. 128 of 2019, registered for the offences punishable under Sections 147, 148, 149, 307, 323, 324, 341 of the Indian Penal Code. Later on, section 302 IPC was added.

Prosecution case in brief is that on 10.09.2019 at 4.00 pm, after attending Tazia, the informant along with her family returned to her home. All of a sudden, her neighbour Md. Akhtar, Md. Phul Hasan (petitioner), Farzan, Mokhtar, Md.



Taiyab along with other accused persons having variously armed came at her house and assaulted her family members. Her father-in-law got severely injured in this incident. Later on, during course of treatment he died.

It is submitted on behalf of petitioners that petitioners have falsely been implicated in this case. There is general and omnibus allegation against him. The entire allegation is false and concocted. Petitioners have got no criminal antecedent.

Counsel for the informant vehemently opposed the prayer for bail and submitted that six family members have sustained multiple injuries and father-in-law of the informant died.

Considering the facts aforesaid and gravity of offence, I am not inclined to enlarge the petitioners above-named on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Singh, J)

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