

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31038 of 2020

Arising Out of PS. Case No.-18 Year-2020 Thana- MAJHAULIA District- West Champaran

SAHADAT ANSARI @ SAHADAT MIYAN S/o Late Inayat Ansari R/V
Bakhariya, P/S- Majhauriya, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aditya Nath Jha
For the Opposite Party/s : Mr. S.P.S. Yadav, APP

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

2 22-12-2020 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in connection with
Majhauriya P.S. Case No. 18 of 2020 for the offence under
Sections 302/34 of the Indian Penal Code.

Learned counsel appearing for the petitioner
submits that the petitioner, who is of clean antecedent, is
innocent and has not committed any offence. In fact, there
was land dispute between the parties and on account of the
same scuffle took place between them and during the scuffle,
deceased fallen down he got serious injuries resultantly he
died. No sharp cutting weapon or any other weapon has
been used during the scuffle and this only shows that the



petitioner was not intentional. The petitioner is rotting in judicial custody since 09.01.2020.

Learned A.P.P. for the State has opposed the prayer for bail and submitted that the petitioner is named in the F.I.R with direct allegation of throwing brick on the on the chest of the husband of the informant resultantly he died. Moreover, the Post Mortem Report also corroborates with the allegation levelled in the F.I.R. against the petitioner.

Considering the facts and circumstances of the case, this Court is not inclined to enlarge the petitioner on bail. Accordingly, the prayer for bail of this petitioner is rejected.

(Arvind Srivastava, J)

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