

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72394 of 2019

Arising Out of PS. Case No.-160 Year-2019 Thana- RAMNAGAR District- West Champaran

Raju Khan @ Mustaque Khan Son of Late Subhan Allah Khan Resident of
Village-Fulkaul, Police Station-Ramnagar, District-West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Harun Quareshi, Advocate

For the Opposite Party/s : Mr.Rina Sinha, APP

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

5 15-07-2020 Heard learned counsel for the petitioner and learned
counsel for the State.

In this case, the petitioner is seeking anticipatory
bail in connection with Ramnagar P.S. Case No. 160 of 2019,
registered for the offence punishable under Sections 302, 120
(B) of the Indian Penal Code and Section 27 of the Arms Act.

The FIR has been lodged by the wife of the
deceased making statement that her husband had an
apprehension that his life would be finished by the accused
persons with whom he had a land dispute and that story was said
by her husband in the previous night and in the morning, as per
the allegation, he was taken to the pond where all accused
persons pumped the bullet injury.



Counsel for the petitioner submits that during investigation, one co-accused Faiyaz Shah was arrested by the police who made his confessional statement that he himself had committed the crime and killed the deceased. He further submits that on the date of occurrence, he was not present for that he has placed reliance on the railway ticket as well as prescription of doctor of Aligarh Muslim University, however, this plea of alibi cannot be looked into at this stage.

I have perused the case diary wherein different witnesses have categorically taken the name of the petitioner to be involved in the commission of the crime.

Looking to the entire facts and circumstances, this Court is not inclined to grant bail to the petitioner.

Accordingly, the prayer for bail is rejected.

However, if the petitioner surrenders before the Court below within eight weeks from today and prays for regular bail, the Court below will consider the same and pass appropriate order without being influenced by the order of this Court.

(Shivaji Pandey, J)

V.K.Pandey/-

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