

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.228 of 2020

Arising Out of PS. Case No.-14 Year-2019 Thana- ANGARH District- Purnia

Abu Kalam Son of Alimuddin, Resident of Village - Gostara, P.S.- Rauta,
Distt.- Purnea.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr.Bikramdeo Singh, Adv.
		Mr.Bijendra Kumar Singh, Adv.
For the Opposite Party/s	:	Mr.Arun Kumar Pandey, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 25-02-2020 Heard learned counsel for the parties.

The petitioner apprehends his arrest in Angarh P.S.
Case No.14 of 2019 registered for the offence under Section
302/34 of the Indian Penal Code.

The prosecution case is that on 29.06.2019 at about
11.00 in the night, four persons after breaking the door of the
informant's house entered into the room of the informant, in
which two persons, namely, Abu Hayat and Abu Kalam were
identified. Abut Hayat shot fire on the chest of husband of the
informant and Abu Kalam (the petitioner) also shot fire, in
which the informant also sustained injury. It is alleged that at the
time of death, husband of the informant told that Abu Hayat has
killed him. Hearing alarm the people came there and brought the



husband of the informant at Primary Health Centre, where the doctor declared him dead.

It is submitted by learned counsel for the petitioner that the petitioner has falsely been implicated in this case due to local village politics. It is further submitted that there is specific allegation of killing the deceased against accused Abu Hayat and the petitioner is elder brother of Abu Hayat and only due to this reason, the petitioner has been made accused in this case. It is submitted that the deceased was chargesheeted accused in several cases.

Learned A.P.P. has opposed the prayer for anticipatory bail.

Considering the facts and circumstances as well as the fact that there is specific allegation against the petitioner of giving shot fire, I am not inclined to enlarge the petitioner on anticipatory bail.

Accordingly, the prayer for anticipatory bail stands rejected.

(Prabhat Kumar Singh, J)

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