

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2486 of 2021

Arising Out of PS. Case No.-368 Year-2020 Thana- FORBESGANJ District- Araria

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AHMAD @ AHMAD HUSSAIN Late Mubarak Resident of Village -
Kurhaili, Ward No. 7, P.S. - Forbesganj, District - Araria

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nafisuzzoha, Advocate
For the Opposite Party/s : Mr. Parmanand Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

4 10-12-2021 Heard Mr. Nafisuzzoha, learned Advocate for
the petitioner and Mr. Parmanand Kumar, learned APP
for the State.

The petitioner seeks bail in anticipation of his arrest in connection with Forbesganj P.S. Case No. 368 of 2020 dated 12.05.2020 was initially instituted for the offences under Sections 147, 148, 149, 447, 448, 341, 323, 337, 338, 307 and 504 of the Indian Penal Code in which Section 302 IPC was added later on.

The petitioner along with another is said to have assaulted the deceased by means of a brick on his chest.

Though there is no external injury on the deceased which appears from the post-mortem report but the cause of death is the internal injury and rupture



of the liver.

Considering this aspect of the matter, I am not inclined to grant anticipatory bail to the petitioner.

The prayer for anticipatory bail is rejected.

The interim order in favour of the petitioner, if any, stands vacated.

However, if the petitioner surrenders before the court below and seeks bail, his application shall be considered on its own merits without being prejudiced by the fact that the present petition on his behalf has not been entertained.

(Ashutosh Kumar, J)

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