

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6715 of 2021

Arising Out of PS. Case No.-117 Year-2020 Thana- AMAUR District- Purnia

Md Sabir @ Shabir @MD Sabir Alam S/o Md. Sharif Resident of Village-
Bangara, P.S.- Amour, Distt- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Mallick, Adv.

For the Opposite Party/s : Mr. Akshay Lal Pandit, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

5 19-07-2021

Heard learned counsel for the petitioner and
learned A.P.P for the State.

The petitioner has filed the instant application for
grant of regular bail in connection with Amaur P.S. Case no. 117
of 2020 registered under section 302 and other sections of the
Indian Penal Code.

As per allegation in the F.I.R., it is stated by the
informant that over a dispute between the parties relating to
throwing of garbage, the accused persons including the
petitioner herein came variously armed. Md. Sharif assaulted the
wife of the petitioner on head with a *bamboo* stick followed by
the petitioner who assaulted with *dabia*. Other accused persons
also assaulted the cousin brother of the informant. The wife of
the informant succumbed to her injuries in course of treatment.



It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case. There is case and counter case between the parties and the postmortem report does not support the allegations as levelled in the F.I.R. The petitioner is in custody since 16.6.2020 and has no criminal antecedent. Coaccused including Md. Sharif have been enlarged on bail vide order dated 5.7.2021 passed in Cr.Misc. no.5012 of 2021.

The application for bail is opposed by learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the direct allegation against the petitioner of having assaulted the wife of the informant on the head with *dabia* leading to her death, this Court is not inclined to enlarge the petitioner on bail and the application is rejected.

Learned trial Court is directed to expedite the trial.

(Partha Sarthy, J)

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