

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13060 of 2021

Arising Out of PS. Case No.-312 Year-2020 Thana- DARBHANGA SADAR District-
Darbhanga

=====

MD. JAMEEL @ MD. ZAKI, SON OF MD. SANULLAH Resident of
Village - Loaam, P.S.- Sadar, Dist.- Darbhanga.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s :	Mr.Md. Shahnawaz Ali
For the Opposite Party/s :	Mr. Arbind Kumar Singh
	Ms. Prativa Kumari
	Mr. Satyendra Prasad

=====

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

4 17-01-2022 Heard Mr. Shahnawaz Ali, learned Advocate for

the petitioner and learned APP for the State.

The petitioner seeks bail in anticipation of his
arrest in connection with Sadar P. S. Case No. 312 of 2020,
dated 14.07.2020, instituted for the offences under Sections
302, 307, 120B, 504 and 34 of the Indian Penal Code and
Section 27 of the Arms Act, 1959.

The petitioner is not alleged to have fired from
his weapon. He is only said to have been present at the
place of occurrence with a fire-arm weapon. The act of
firing has been attributed to one Md. Taukir. The



deceased, according to the learned counsel for the petitioner, has received only one injury which is attributable to the named accused person, viz, Md. Taukir.

The learned counsel for the petitioner further submits that there is a previous enmity which stands admitted in the FIR. In that view of the matter, learned counsel for the petitioner has prayed for grant of anticipatory bail to the petitioner.

After having gone through the records of this case, I find that there is an allegation of the petitioner along with others arriving at the place of occurrence, armed with weapons.

The learned counsel for the petitioner may be right in submitting that he has fired and therefore he is only a member of the mob but this Court is not inclined to grant anticipatory bail to the petitioner in the event of the victim having lost his life.

The prayer for anticipatory bail is rejected.



For the records, it has also been stated that there is a mistake in paragraph no. 3 of the petition regarding disclosure about the criminal antecedent of the petitioner but the same has been rectified by filing a supplementary affidavit that the petitioner was earlier made an accused in a case in which he has been released on bail.

(Ashutosh Kumar, J)

skm/-

U		T	
---	--	---	--

