

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23293 of 2021

Arising Out of PS. Case No.-502 Year-2019 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

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MD. KALIM @ MD. RAJU @ MD. KALLIM S/O MIA ABDUL WAKIL @
MD. WAKIL @ MD. ABDUL UKIL R/O VILLAGE-RAHIMPUR
RUDAULI, WARD NO.3, P.S.-MUFFASIL, DISTRICT-SAMASTIPUR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun Kumar Singh

For the Opposite Party/s : Mr. APP

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 09-03-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for anticipatory bail has been
filed by the petitioner apprehending his arrest in connection
with Muffasil P.S. Case no. 502 of 2019 instituted for the
offence punishable under Sections 307, 323, 324, 341, 354(B),
379, 447, 504 and 34 of the Indian Penal Code. Subsequently
section 302 of the IPC has also been added.

As per allegation in the FIR, several accused persons
including the petitioner have assaulted the informant and his
family members. Co-accused Mithu entered into the house of
the informant with bad intention and started misbehaving with
her. When the informant raised alarm, her family members



gathered there for her rescue. In the meantime, family members of the petitioner also reached there and started to assault the informant and her family members.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has been falsely implicated in this case. Specific allegation is against co-accused Md. Mithu. General and omnibus allegations have been levelled against the petitioner. He has got no criminal antecedent. There is case and counter case. Both parties are next door neighbour and over a trivial dispute, quarrel has taken place.

Learned APP appearing for the State has opposed the prayer of bail. All accused persons by means of deadly weapons assaulted the father-in-law of the informant due to which he succumbed to the injuries.

Having heard learned counsel for the parties and taking into consideration, I am not inclined to grant bail to the petitioner and, as such, his application for bail is rejected.

(Sunil Kumar Panwar, J)

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