

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32155 of 2021**

Arising Out of PS. Case No.-498 Year-2018 Thana- SIWAN CITY District- Siwan

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ZAFAR KAMAL @ ZAFFAR KAMAL @ MUNNA Son of Muzaffar Ahmad
Resident of Village - Qutub Chapra, P.S.- Hussainganj, District - Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Irshad Ahmad Khan

For the Opposite Party/s : Mr. Ashok Kumar
Mr. Krishna Kant Singh

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

3 21-07-2022 Heard learned counsel for the petitioner, the State and
the informant.

Petitioner apprehends his arrest in a case registered
for the offence punishable under Section 302, 120B of the
Indian Penal Code and u/s 27 of Arms Act.

As per the prosecution case, while the son of
informant was returning to his house, this petitioner along with
two other accused persons, named in the FIR, shot fire on him
as a result of which he sustained injuries and later on died in
course of treatment.

Learned counsel appearing for the petitioner submits
that petitioner is innocent and has falsely been implicated in the
case. It is further submitted that informant is not an eye witness



of the occurrence and during the course of investigation none of the local witnesses has supported the prosecution case rather they named other persons. Petitioner has got clean antecedent.

Learned counsel appearing for the State and the informant opposed the prayer for anticipatory bail and submitted that petitioner is named in the FIR and during the course of investigation ample material has been collected to show his involvement in the aforesaid crime.

Considering the nature of accusation and gravity of the offence, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Singh, J)

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