

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27238 of 2022

Arising Out of PS. Case No.-71 Year-2021 Thana- KAJRAILICHAK District- Bhagalpur

1. MD. RIZWAN @ MD. RIZWAN KHAN Son of Late Gufran Khan Resident of Village - Sahpur Tamauni, Police Station - Kajraili, District - Bhagalpur.
2. Md. Osman @ Pintu @ Osman Son of Late Gufran Khan Resident of Village - Sahpur Tamauni, Police Station - Kajraili, District - Bhagalpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Najmul Hodda

For the Opposite Party/s : Mr.Pawan Kumar Chaurasia

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 22-09-2022 Heard learned counsel for the petitioners and the State.

Petitioners apprehend their arrest in a case registered for the offence punishable under Section 302 and some other ancillary Sections of the Indian Penal Code.

As per the prosecution case, these petitioners along with other FIR named accused persons armed with Lathi, Danda and rod attacked upon the female inmates of the house of the informant as a result of which three ladies sustained injuries out of whom Bibi Firoz died during the course of treatment.

Learned counsel appearing for the petitioners submits that petitioners are innocent and have falsely been implicated in



the case. The allegation of assault is general and omnibus. Other person sustained injuries and the deceased died natural death. Petitioners have got clean antecedent.

Learned counsel appearing for the State opposes the prayer for anticipatory bail and submits that petitioners are named in the FIR and there is direct and specific allegation against them that they along with other accused persons armed with Lathi, Danda and rod attacked upon the female inmates of the house of the informant as a result of which three ladies sustained injuries out of whom Bibi Firoz died during the course of treatment.

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

(Prabhat Kumar Singh, J)

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