

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43504 of 2021

Arising Out of PS. Case No.-310 Year-2020 Thana- JAGDISHPUR District- Bhojpur

1. AMIR @ MD. AMIR Son of Md. Halim @ Md. Halim Mansuri Resident of Village - Bishen Tola, Ward No.12, Jagdishpur, P.S.- Jagdishpur, Distt.- Bhojpur, Ara.
2. MD. HALIM @ MD. HALIM MANSURI Son of Late Ali Ahmad. Resident of Village - Bishen Tola, Ward No.12, Jagdishpur, P.S.- Jagdishpur, Distt.- Bhojpur, Ara.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Siddhartha Kumar Singh
For the Opposite Party/s :	Mr.Rajendra Prasad Nat
For the Informant	Mr. Ravindra Kr., Mr. Ramanuj

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 24-03-2022 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 Jagdishpur P.S. Case no. 310 of 2020 instituted for the offence punishable under Sections 323, 324, 307, 302, 504 and 34 of the Indian Penal Code.

As per allegation in the FIR, on 25.11.2020 after hearing the noise of people, informant along with his brothers went there and saw that his father was beaten up by Md. Safik, whereas uncle Md. Rafik was being assaulted by co-accused



Amir, Halim, Saddam, Dablu, Pintu with iron rod. Then informant and his brothers intervened to save his father and uncle but the accused persons including this petitioner made deadly attack upon him resulting into their injuries. Co-accused Hasamuddin and Md. Halim instigated his family persons to kill them. On this Amir and Saddam with intention to kill his father started assaulting informant's father with iron rod during which he and his brother got head injury. In course of treatment in Hospital his father Md. Safiq succumbed to injuries.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has been falsely implicated in this case. The petitioner is a business man and one person Babuddin always used to demand Rangdari and the petitioner did not fulfill his demand and so finding the opportunity, he has been falsely implicated in this case. He has got no criminal antecedent.

Learned APP appearing for the State has opposed the prayer of bail and submitted that it appears from para 73 of the postmortem report that deceased had received multiple fracture of skull bone and large amount of blood and its clot were present in brain. Petitioners are named in the FIR against whom there is direct allegation of assault and instigation to kill.



Having heard learned counsel for the parties and taking into consideration that this is a brutal killing, 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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