

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39386 of 2022

Arising Out of PS. Case No.-184 Year-2018 Thana- RAMPUR District- Gaya

MD. SHAHRUKH HUSSAIN S/o Shahnawaz Hussain R/o Mohalla- White
House Compund, P.S.- Rampur, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shivendra Prasad, Advocate

For the Opposite Party/s : Mr.Chandra Bhushan Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 11-10-2022 Heard Mr. Ajay Kumar Thakur, learned Senior
Counsel for the petitioner and learned counsel for the State.

Let the defect(s), if any, as pointed out by the office
be removed within four weeks.

The petitioner is in judicial custody in connection
with Rampur P.S. Case No. 184 of 2018 for the offences under
Sections 147, 148, 149, 452, 341, 323, 307, 302, 506 and
120(B) of the Indian Penal Code and Section 27 of the Arms
Act.

The informant has alleged that in the written report
that while they were preparing for the 'Iftar' party sitting with
the family members in their house, the accused persons
including the petitioner herein armed variously including the rod
fixed with iron nails, firstly abused the informant and there is



specific allegation against the petitioner, Md. Shahrulk Hussain that he gave fatal blow on the head of the son of the informant causing head injury . The allegation against others is of assaulting the family members of the informant who were taken to ANMMCH, Gaya and thereafter to the Ruban Hospital, Patna, where the son of the informant namely Nabil succumbed to the injuries.

There is specific allegation against the petitioner herein of giving fatal rod blow on the head of the deceased son of the informant coupled with the fact that the matter is of 2018 and he chose to walk in the judicial custody only in the year 2022, this Court is not inclined to grant him any relief and the bail application is accordingly rejected.

(Rajiv Roy, J)

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