

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55397 of 2021

Arising Out of PS. Case No.-183 Year-2020 Thana- PHULWARISHARIF District- Patna

Md. Sultan Afri @ Md. Tinku @ Harami @ Md. Sultan Arfi @ Tinku Son Of
Md. Mustafa @ Mustafa Sipahi Resident Of Village- Nayatola, P.S.-
Phulwarisharif, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shivam

For the Opposite Party/s : Mr.Sanjay Kumar Sharma

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 29-01-2022 Heard learned counsel for the parties through video
conferencing.

The petitioner seeks bail in Phulwari Saharif P.S. Case
No. 183 of 2020, registered for the offence under Sections 341,
323, 379, 302, 504/34 of the Indian Penal Code.

As per the F.I.R., this petitioner is alleged to have
stabbed the brother of the informant on his abdomen and chest,
as a result of which, he died.

It is submitted on behalf of petitioner that there is
general and omnibus allegation and no specific overt act has
been alleged against this petitioner. Petitioner is in custody
since 11.01.2021.

However, learned A.P.P. for the State opposed the bail



petition and submitted that petitioner is named in the F.I.R. and there is direct & specific allegation against this petitioner that he stabbed the deceased on his stomach & chest, as a result of which, he died.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner and same is, accordingly, rejected.

(Prabhat Kumar Singh, J)

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