

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63858 of 2021

Arising Out of PS. Case No.-111 Year-2021 Thana- DAUDPUR District- Saran

MURTUZA ANSARI, Son of Wakil Ansari Resident of Village - Barwa Lahmari, P.S.- Daudpur, District - Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Surendra Kishore Thakur

For the Opposite Party/s : Mr.A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 13-04-2022 Heard learned counsel for the petitioner and learned APP for the State.

The petitioner seeks bail in connection with Daudpur P. S. Case No. 111 of 2021, instituted for the offences under Sections 302/34 of the Indian Penal Code and Section 27 of the Arms Act.

The learned counsel for the petitioner submits that the petitioner is in custody since 17.05.2021, he is a person with clean antecedent.

The learned counsel for the petitioner further submits that the informant alleges that his sister solemnized with Murtuza Ansari (petitioner) in 2013. He further alleges that her sister is handicapped with left leg and the accused is used to assault the deceased and want to kill her. Further, the petitioner had ousted the deceased from the house and she was staying with her children in *dalan*. Further, on 16.05.2021 Afsana Khatoon (another sister) of the informant, informed that the petitioner shot the deceased and fled away. Further, on hearing



the same he came to see his sister and found her dead due to firearm injury on head and she was not taken into hospital for treatment.

The learned counsel for the petitioner submits that he has falsely been implicated in the present case merely because he happens to be the husband of the deceased. It is further submitted that there is no eye-witness of the occurrence and a dacoity took place in his house on account of which the deceased was shot dead by the dacoits.

Learned APP for the State as well as learned counsel for the informant opposes the bail application and submits that petitioner is used to torture the deceased as she was handicapped further, learned counsel for the informant rebuts the submission made by the learned counsel for the petitioner about killing of the deceased and submits that on account of dacoity if the occurrence took place then why he did not lodge an FIR.

In view of the submissions made by the learned counsel for the informant, this court is not inclined to grant bail to the petitioner.

The application stands rejected.

(Satyavrat Verma, J)

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