

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2167 of 2023

Arising Out of PS. Case No.-732 Year-2022 Thana- FORBESGANJ District- Araria

MD. NAJIB Son of Md. Aitbari R/V- Rampur Dakshin, Ward no. 3, P.S-
Forbesganj, Dist- Araria Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nishant Kumar Sinha

For the Opposite Party/s : Mr.Rabindra Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 18-07-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offence under Section 302, 34 of the Indian Penal Code.

3. It is alleged that all the F.I.R. named accused persons including this petitioner took informant's son near the canal and committed his murder by drowning him in the canal.

4. It is submitted on behalf of petitioner that petitioner has been falsely implicated in this case. Informant is not eye-witness of the occurrence, but only on the statement of hearsay villagers, petitioner and others have been made accused in this case. No specific overt act has been alleged against this petitioner, rather there is general and omnibus allegation against him.



5. However, learned A.P.P. for the State vehemently opposes the bail petition and submits that petitioner is named in the F.I.R. and there is specific and direct allegation against petitioner and other two co-accused persons that under a conspiracy, they committed the murder of informant's son by drowning him in the canal.

6. In view of aforesaid facts and circumstances, the prayer for anticipatory bail of petitioner is rejected.

(Prabhat Kumar Singh, J)

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