

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6487 of 2023

Arising Out of PS. Case No.-912 Year-2022 Thana- ARARIA District- Araria

MD. SALIM S/o Tameer @ Tamir Uddin R/o Village- Manikpur, Ward no.-
11, P.S.- Araria (Bairgachhi O.P.), Distt- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kanchan Jha, Adv
For the Opposite Party/s : Mr. Raj Kishor Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 17-05-2023 Heard Mr. Kanchan Jha, learned counsel for the
petitioner and Mr. Raj Kishor Singh, learned Additional Public
Prosecutor for the State.

2. Petitioner apprehends his arrest in connection with
Araria (Bairgachhi OP) PS Case No. 912/2022 dated 25.10.2022
registered for the offence punishable under Sections 341, 323,
324, 307, 254(B), 379, 504 and 5/34 of the IPC.

3. As per First Information Report, the petitioner
assaulted the father of the informant by means of rod on his
head due to which he sustained serious injury and died during
course of treatment.

4. Learned counsel for the petitioner submits that
name of the petitioner is Md. Salim whereas from perusal of the
First Informant Report, it would be evident that assault was
made by one Md. Shamim and not by the petitioner.



5. On the other hand, learned counsel for the informant vehemently opposed the prayer for anticipatory bail and submits that altogether six accused persons have been named in the FIR and the name of accused no.2 is Md. Salim. Subsequently, due to typing error, it has been typed as Md. Shamim in the FIR whereas no accused person having name of Md. Shamim is there in the list of accused persons described in the FIR.

6. Regards being had to the submissions made by the parties, taking into consideration the material on record and the fact that there is direct allegation against the petitioner of assault on the head of the father of the informant by means of iron rod who died during course of treatment, I am not inclined to grant anticipatory bail to the petitioner.

7. Accordingly, instant petition for anticipatory bail stands dismissed.

(Anil Kumar Sinha, J)

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