

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8438 of 2023

Arising Out of PS. Case No.-8 Year-2022 Thana- SHEOHAR District- Sheohar

Md. Rizwan Rizwi @ Md. Dulare Son of Tahikal Haque Resident of Village-
Gadhwa Sheohar, P.S.- Sheohar, District- Sheohar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Mohan

For the Opposite Party/s : Mr.Nawal Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 24-04-2023 Heard both parties.

The petitioner apprehends his arrest in Sheohar P.S.
Case No. 08 of 2022, registered for the offences punishable
under Sections 302/34 of the Indian Penal Code.

As per the prosecution case, this petitioner along with
co-accused Sanjay Kumar assaulted the husband of informant
by iron rod, as a result of which he died during course of
treatment.

It is submitted that FIR has been lodged after delay of
two days without any plausible explanation. In fact, the
deceased had taken wine and he met with an accident and this
petitioner along with co-accused Sanjay Kumar took him to his
house and handed over to his family. Petitioner claims clean
antecedent.



Counsel for State however, vehemently opposed the prayer for bail and submitted that the deceased before his death has stated that this petitioner and co-accused Sanjay Kumar assaulted him.

Considering the facts aforesaid and gravity of offence, I am not inclined to enlarge the petitioner above-named on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Singh, J)

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