

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32608 of 2023

Arising Out of PS. Case No.-265 Year-2022 Thana- BAISI District- Purnia

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SAFDAR@SAFDAR NAWAZ SON OF ABDUL RUB VILLAGE
LOTIYABARI, POLICE STATION BAISI ,DISTRICT PURNIA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr.Vikram Singh, Adv.
For the Opposite Party/s :	Mr.Lalan Kumar, APP.
	Mr. Ayush Kumar, Adv.
	Mr. Mohit Shrivastava, Adv.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 06-11-2023 Heard learned counsel for the parties.

2. The petitioner apprehends his arrest in Baisi P.S.
Case NO. 265 of 2022 registered for the offences punishable
under Sections 302, 120(B), 379, 34 of the Indian Penal
Code.

3. The allegation against all the FIR named accused
persons including the petitioner that they assaulted the
informant's side brutally with deadly weapons. Petitioner is
said to have assaulted the deceased Munajir.

4. It is submitted by learned counsel for the petitioner
that petitioner is quite innocent and has committed no



offence. No such occurrence as alleged ever took place. He has been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioner is totally false and based on concocted facts. There is previous election dispute between the parties. There is no eye-witness in the present case. The similarly situated co-accused persons have been granted regular bail by different Co-ordinate Bench of this Court. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State as well as learned counsel for the informant opposed the prayer for bail and submitted that there is serious allegation against all the accused persons including this petitioner that they committed murder of two persons, hence the petitioner does not deserve anticipatory bail.

6. Having regard to the facts and circumstances of the case and considering the nature of the offence, as the accused persons including the petitioner have indulged in committing murder of Shahbaz and Munajir, I am not inclined to enlarge the petitioner on bail. The prayer for bail of the petitioner is hereby rejected.

7. However, if petitioner surrenders before the learned



Court below within six weeks from today and seeks regular bail, the learned Court below shall pass order on the same day in accordance with law without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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