

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30473 of 2022

Arising Out of PS. Case No.-63 Year-2021 Thana- NAUHATTA District- Saharsa

MD. YAKUB @ YAKUB @ MUNSI Son of Md. Jahiruddin Resident of
Village-Barhara, Ward No.-03, Police Station-Nauhatta (Darhar O.P.),
District-Saharsa.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Uday Chand Prasad

For the Opposite Party/s : Mr.Gauri Shankar Gupta

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

3 04-01-2023 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the Stamp Reporter within

one month.

Heard the learned counsel for the petitioner and

learned APP for the State.

The petitioner apprehends his arrest for the

offences alleged under Sections 147, 148, 149, 341, 323, 307,

302, 504 and 506 of the Indian Penal Code, registered in

connection with Nauhatta P.S.Case No. 63 of 2021.

As per allegation, eight FIR named accused

persons, including the petitioner, badly assaulted the mother of

the informant and when the informant and his family members



went to rescue her, co-accused Md. Nizamuddin @ Badri assaulted the informant on his head with *lathi* and co-accused Shabana inflicted spear blow on the leg of the mother of the informant. The mother of the informant was shifted to a primary health centre, where she was declared dead.

The learned counsel for the petitioner has submitted that the allegation against the petitioner is general and omnibus and specific allegation is on Md. Nizamuddin @ Badri. Though there is specific allegation against co-accused Md. Nizamuddin @ Badri that he assaulted the deceased, but there is also allegation against other accused persons, including the petitioner, that they badly assaulted the informant's mother, who succumbed to the injuries suffered by her.

On similar footing anticipatory bail petition of two ladies Amola Khatun and Anisa Khatun was rejected by this Court, vide Cr. Misc. No. 11606 of 2022 under order dated 14.09.2022.

Considering the above facts and circumstances, this Court is not inclined to grant the petitioner the privilege of anticipatory bail, which is hereby rejected.

Office shall ensure that all defects are removed by the petitioner within the stipulated time as provided



hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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