

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35464 of 2022

Arising Out of PS. Case No.-55 Year-2022 Thana- NALANDA District- Nalanda

1. DABLU @ MD. MASHKOOR ALAM Son of Md. Mansoor @ Md. Mansoor Alam Resident of Village - Sabbait, P.S.- Nalanda, District - Nalanda.
2. Pintu @ Sam Sad Son of Md. Zafir @ Zafir Miya Resident of Village - Sabbait, P.S.- Nalanda, District - Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Kant Singh

For the Opposite Party/s : Mr. Sanjay Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

7 04-04-2023 At the outset of argument learned counsel for the petitioners seeks permission to withdraw the anticipatory bail petition of petitioner No.2, Pintu @ Sam Sad.

Prayer is allowed.

This anticipatory bail petition is dismissed as withdrawn against petitioner No.2.

Heard learned counsel for the petitioner No.1 and the State.

Petitioner apprehends his arrest in a case registered for the offence punishable under Section 302 and some other ancillary Sections of the Indian Penal Code.

As per the prosecution case, this petitioner along with other accused persons brutally assaulted the informant and his



friend, Karu. Thereafter, Karu succumbed to the injuries.

Learned counsel appearing for the petitioner submits that petitioner is innocent and has falsely been implicated in the case. It is further submitted that from bare perusal of the FIR it appears that Karu was taken to hospital for treatment by the petitioner and others and there was no intention to kill. The deceased himself was a thief and he committed theft of batteries.

Learned counsel appearing for the State opposes the prayer for anticipatory bail and submits that petitioner is named in the FIR and there is specific allegation that this petitioner along with other accused persons brutally assaulted the informant and his friend, Karu. Thereafter, Karu succumbed to the injuries.

Considering the nature of accusation and gravity of the offence, I am not inclined to enlarge the petitioner No.1 on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Singh, J)

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