

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45178 of 2022

Arising Out of PS. Case No.-265 Year-2020 Thana- SUGAULI District- East Champaran

Nasir @ Nasir Ahmad @ Sohail Tanveer Hssaan, S/o Tauheed Hassan, R/o
Bangara Ward No. 20, P.S. Sugauli, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Patanjali Rishi
For the Opposite Party/s	:	Mr. Uday Pratap Singh
For the Informant	:	Mr. Ramendra Kumar Bharti, Advocate
		Mr. Zainul Abedin, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

7 21-03-2023 Heard learned counsels for the petitioner, informant
and the State.

Petitioner apprehends arrest in registered for the offences punishable under Sections 147, 323, 307, 506 and other allied sections of the Indian Penal Code to which Section 302 of the Indian Penal Code was added later on.

As per prosecution case, on 08.05.2020 at about 01:00 P.M., all the F.I.R. named accused persons including this petitioner blocked the drainage of courtyard of the informant with bricks and soil. On protest, all the accused persons became angry and started abusing the informant in filthy language. Further, it is alleged that petitioner gave sword blow on the head of the informant's husband 4-5 time as a result of which, he



became seriously injured and subsequently, died while being taken into the hospital.

It is submitted that petitioner has been made accused only on suspicion. The petitioner has brought on record the deposition of the informant and Haider Ali by way of supplementary affidavit where they have denied to have seen the occurrence.

However, learned counsel for the informant opposes the prayer for bail application and submits that there is direct and specific allegation against the petitioner of giving sword blow on the head of deceased.

Considering the nature of accusation, prayer for bail of the petitioner is refused with direction to surrender and seek regular bail which would be considered and disposed of on its own merit without prejudice.

(Prabhat Kumar Singh, J)

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