

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67731 of 2022

Arising Out of PS. Case No.-142 Year-2021 Thana- PALASI District- Araria

Md. Mainuddin @ Mainuddin S/O Late Sahadat Resident of village- Dighli
(Dighali), Ward no- 03, P.S.- Palasi, District- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Madhav Jha
For the Opposite Party/s :	Mr.Sanjay Kumar Tiwary
	Mrs.Kanchan Jha

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 27-07-2023 Heard learned counsel for the petitioner, State and informant.

2. The petitioner apprehends his arrest in a case registered for the offence under Section 302/34 of the Indian Penal Code.

3. It is alleged that on 27.07.2021 at about 7:00 PM, while the informant and her husband were returning home, all the F.I.R. named accused persons, including this petitioner, intercepted them and brutally assaulted husband of informant and thereafter, committed his murder by strangulation.

4. It is submitted on behalf of petitioner that petitioner is own brother of the deceased. Allegation of assault is general and omnibus and no specific overt act has been alleged against this petitioner. Petitioner claims clean antecedent.



5. However, learned counsel for the informant vehemently opposes the prayer for anticipatory bail and submits that there is specific allegation against this petitioner that he alongwith other co-accused persons committed the murder of husband of informant.

6. Considering the same, the prayer for anticipatory bail of petitioner is rejected.

(Prabhat Kumar Singh, J)

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