

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74789 of 2023

Arising Out of PS. Case No.-74 Year-2020 Thana- ABADPUR District- Katihar

MAJIFUR @ MAJIBUR RAHMAN son of Mumtaz @ Mumtaz Village-
Dharampur Ps- Abadpur Dist- Katihar

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bal Krishna Mishra, Advocate

For the Opposite Party/s : Mr. Jai Narain Thakur, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 11-12-2023 Learned counsel for the petitioner is permitted to
remove the defect(s), as pointed out by the office, if any,
within a period of three weeks from today.

2. Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

3. The petitioner is apprehending his arrest in
connection with Abadpur P.S Case No. 74 of 2020 dated
30.06.2020 registered for the offence punishable u/ss 147,
148, 149 and 302 of the Indian Penal Code.

4. As per the prosecution case, the accused
persons including the petitioner came to the house of the
informant and started fighting and assaulting with bricks.



Meanwhile, the co-accused Kamir caught the neck of husband of the informant and all accused persons killed her husband.

5. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. Learned counsel has further submitted that there is not specific allegation of assault against the petitioner. It is further submitted that the allegation is general and omnibus in nature. The deceased and the petitioner are closely related. The petitioner has no criminal antecedent as stated in para 3 of the bail petition.

6. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner. It is further submitted that the informant is the eyewitness to the alleged occurrence and offence is committed inside the house of the informant.

7. Considering the aforesaid facts and circumstances of the case as well as the heinous nature of allegation, I am of the view that no case for grant of anticipatory bail is made out and the same is rejected with direction to the petitioner to surrender before the Court



below concerned within six weeks from the date of this order and the prayer for regular bail and the learned Court below will consider his prayer for regular bail in accordance with law without being prejudiced by this order.

8. The application stands reject.

(Chandra Prakash Singh, J)

Nilmani/-

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