

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23574 of 2024

Arising Out of PS. Case No.-342 Year-2023 Thana- BAISI District- Purnia

Md Ashfaq Alam @ Ashfaq Son of Sk. Manjur Resident of Village- Chauni
Ward no 5, Police Station- Baisi, District- Purnia.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vikram Singh, Advocate

For the Opposite Party/s : Mr. Shyam Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 10-07-2024 Heard learned counsel for the petitioner and the
State.

2. Petitioner apprehends arrest in a case registered for
the offence punishable under sections 147, 149, 341 , 323 , 324,
354(B), 379, 504, 427 and 302 of the IPC .

3. As per the prosecution case , on the alleged date
and time of occurrence , the cattle of the petitioner was grazing
the paddy field of the informant. On protest by informant this
petitioner along with other co-accused persons brutally
assaulted the deceased as a result of which during treatment
deceased died.

4. Learned counsel for the petitioner submits that
from bare perusal of F.I.R., it is apparent that the alleged
incident took place on petty issue of grazing of the field of the



informant by the cattle of the petitioner. Allegation is general and omnibus against this petitioner. Petitioner claims clean antecedent.

5. Learned counsel for the State opposes the prayer for bail and submits that there is specific allegation against the petitioner that he along with other co-accused persons mercilessly assaulted the deceased. Post Mortem report also shows that the deceased died due to shock and haemorrhage due to internal injuries caused by hard and blunt object.

6. Considering the nature of accusation and gravity of offence , prayer for pre-arrest bail of the petitioner is rejected.

(Prabhat Kumar Singh, J)

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