

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30293 of 2024

Arising Out of PS. Case No.-172 Year-2023 Thana- MAINATAND District- West Champaran

Asraf Ali Son of Late Saukat Ali Resident of Village- Langadi Bashtha, P.S.-
Mainatand, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Umesh Chandra Verma, Adv. Mr. Hemant Rai, Adv.
For the Informant	:	Mr. Bimlesh Kumar Pandey, Adv. Mr. Vikash Kumar Shukla, Adv.
For the Opposite Party/s	:	Mr. Umanath Mishra, APP

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

ORAL ORDER

3 02-08-2024 Heard learned counsel for the petitioner and learned
counsel for the informant as well as learned Additional Public
Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case in
connection with Mainatad P.S. Case FIR No. 172 of 2023 dated
30.11.2023 registered for the offence/s punishable u/s 302/34 of
the Indian Penal Code.

3. As per the prosecution case, the petitioner and the
his wife are alleged to have caught hold of the hands of the
husband of the informant and their son fired on the temporal
region of the his head, due to that he died.

4. Learned counsel for the petitioner has submitted
that the petitioner is innocent and has falsely been implicated in



this case. There is no specific allegation of firing against the petitioner. The petitioner has no criminal antecedent as stated in para 3 of the bail petition.

5. Learned counsel for the informant as well as learned A.P.P. for the State has vehemently opposed the anticipatory bail petition of the petitioner and stated that the petitioner and his wife caught hold of the deceased, thereafter the co-accused shot him dead. The deceased was the father of the petitioner and the co-accused is the grandson of the deceased.

6. Considering the aforesaid facts and circumstances of the case as well as the specific and the heinous nature of allegation against the petitioner, 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, the learned Court below will consider his prayer for regular bail in accordance with law without being prejudiced by this order.

7. The application stands rejected.

(Chandra Prakash Singh, J)

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