

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36433 of 2024

Arising Out of PS. Case No.-375 Year-2023 Thana- CHHATAPUR District- Supaul

Md. Tanveer @ Md. Tanweer, aged about 25 years, Male, S/O Md. Jahid, R/O Mahadipur, P.S.- Chhatarpur, District- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Ataul Haque, Advocate

For the Opposite Party/s : Mr. Nawal Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

4 09-08-2024 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. The petitioner seeks bail in connection with Chhatapur PS Case No.375 of 2023 dated 23.10.2023, instituted for the offence punishable under Sections 302/34 of the Indian Penal Code and Section 27 of the Arms Act.

3. The allegation against the petitioner is that he fired four gun shots on the father of the informant due to which he succumbed to the injuries.

4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case. He was not present at the place of occurrence on the alleged date of occurrence. There is land dispute between the informant and the petitioner due to which he has been implicated in this case. Both



sides are *Gotiyas*. Further submission is that two co-accused have been granted anticipatory bail by this Court vide order dated 26.06.2024 passed in Cr. Misc. No.36095 of 2024.

5. Learned APP has opposed the prayer for bail and submits that the petitioner is the main assailant.

6. Case diary along with *post mortem* report was called for which has been received. The *post mortem* report corroborates the allegation against the petitioner.

7. In such view of the matter, I am not inclined to grant bail to the petitioner for the present.

8. Accordingly, prayer of the petitioner for grant of bail is rejected at this stage.

9. The application stands dismissed.

(Khatim Reza, J)

J. Alam/-

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