

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49318 of 2024**

Arising Out of PS. Case No.-337 Year-2020 Thana- GAUTAMBUDHNAGAR District-
Siwan

=====

Serajuddin Ansari @ Arman Ansari Son Of Fulman Mian @ Fulman Ansari
Resident Of Village - Fakruddinpur, P.S. - G.B. Nagar, District - Siwan

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

=====

Appearance :

For the Petitioner : Mr.Ajay Kumar Pandey, Advocate

For the Opposite Party : Mr.Parmanand Prasad, A.P.P.

Mr. Rakesh Kr.Shrivastava, Advocate

=====

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 06-12-2024 Heard both parties.

2. The petitioner is an accused in G.B. Nagar P.S.
Case No. 337 of 2020, registered for the offences punishable
under Sections 307, 323 and other allied sections of the Indian
Penal Code. Later on, section 302 of IPC was also added.

3. Prosecution case in brief is that on the alleged date
and time of occurrence, all the accused persons including
petitioner assaulted the son of informant by means of rod, fists,
hockey stick, as a result of which he became severely injured
and later on succumbed to the injuries.

4. It is submitted that no such occurrence as alleged in
the FIR has taken place. As a matter of fact, son of informant
met with an accident in which he sustained severe injuries and



later on died. Allegation of assault is general and omnibus against this petitioner and no specific overt act has been alleged against him. During course of investigation, none of the witnesses have supported the prosecution case. F.I.R. has been lodged after delay of 7 days without any explanation which renders the entire prosecution case doubtful. Petitioner claims clean antecedent. He is in custody since 19.4.2024.

5. Learned counsel for the State and informant oppose the prayer for bail. Learned counsel for the informant submits that the informant is eye witness of the occurrence and he has made specific and direct allegation that petitioner along with other accused persons assaulted the son of informant by means of rod, fists, hockey stick, as a result of which he became severely injured and later on succumbed to the injuries.

6. Considering the nature and gravity of allegation, prayer for bail of the petitioner is rejected.

(Prabhat Kumar Singh, J)

shashi/-

U		T	
---	--	---	--

