

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62493 of 2024

Arising Out of PS. Case No.-294 Year-2023 Thana- BOCHAHAN District- Muzaffarpur

Md. Rustam son of Md. Jabbar vill- Hasanchak Bangra ps- Sadar Dist-
Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Nitu Kumari, Advocate

For the Opposite Party/s : Mr.Raj Ballabh Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 19-12-2024 Heard learned counsel for the petitioner, the State and
the informant.

2. Petitioner seeks regular bail in a case registered for
the offence punishable under sections 302/34 of the Indian Penal
Code.

3. As per the prosecution case, petitioner and co-
accused Md. Talim are alleged to have assaulted son of the
informant and threw him on the road, as a result of which, he
died during course of treatment. Post mortem report supports the
prosecution case.

4. Learned counsel appearing for the petitioner
submits that the petitioner is innocent and has falsely been
implicated in this case. petitioner is relative of the informant.
There is general and omnibus allegation against the petitioner
and no overt act has been alleged against him. As a matter of
fact, in course of scuffle son of informant fell on the earth and
sustained injuries on the head and died during treatment.
Petitioner claims clean antecedent. He is in custody since



21.3.2024.

5. Learned counsel for the State and informant oppose the prayer for bail. They submit that petitioner and co-accused Md. Talim assaulted son of the informant and threw him on the road, as a result of which, he died during course of treatment. Post mortem report supports the prosecution case.

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

(Prabhat Kumar Singh, J)

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