

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71344 of 2024

Arising Out of PS. Case No.-80 Year-2024 Thana- KISHANPUR District- Supaul

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1. Md. Mabud S/o- Late Md. Husain Village- Rajpur, Ward No. 5, P.S. Kishanpur, District - Supaul
 2. Md. Ikbal @ Md. Iqbal Son of Late Md. Rais Village- Rajpur, Ward No. 5, P.S. Kishanpur, District - Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nafisu Zzoha, Advocate
For the State : Ms. Anita Kumari, APP
For the informant : Md. Harun Quareshi, Advocate

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 23-10-2024 Heard Ld. counsel for the petitioners and Ld. APP for the State as well as Ld. Counsel for the informant.

2. The petitioners apprehend their arrest in connection with Kishanpur P.S. Case No. 80 of 2024 dated 18.03.2024, registered for the offence punishable under Sections 302/34 of the Indian Penal Code.

3. As per the allegation, the petitioners along with others co-accused have beaten the victim, namely, Md. Majloom to death.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this



case. He further submits that as per the postmortem report, there is no external injury found on the body and opinion regarding cause of death is reserved and till date opinion has not come on record. He also submits that there is no specific allegation regarding the role played by the petitioners.

5. It has also been stated in paragraph no.3 of the bail petition that the petitioners have no criminal antecedent.

6. It is also stated in paragraph no. 2 of the petition that petitioners have never moved before this Hon'ble Court for grant of Anticipatory Bail or Regular Bail.

7. However, Ld. APP for the State and Ld. Counsel for the informant vehemently opposes the prayer of the petitioners for anticipatory bail submitting that the alleged offence is serious in nature and victim has died on account of the assault caused by the petitioners. They further submit that the investigation is going on. Hence, at this stage petitioners are not entitled to get Anticipatory Bail.

8. Considering the fact that the victim has died on account of overt act of the petitioners along with other co-accused, this Court is not persuaded to enlarge the petitioners on Anticipatory Bail.

9. Accordingly, the prayer for anticipatory bail of the



petitioners stands rejected.

(Jitendra Kumar, J.)

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