

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82171 of 2024

Arising Out of PS. Case No.-372 Year-2024 Thana- GAYA KOTWALI District- Gaya

1. Md. Mansur @ Md. Mansoor Alam S/O Late Gafar Miya Ali @ Gafur Miyan Resident of Mohalla- Ward No 13, Panchayati Akahra Gaya, P.S- Kotwali, District- Gaya
2. Md. Salim @ Chotu S/O Md. Mansur Resident of Mohalla- Ward No 13, Panchayati Akahra Gaya, P.S- Kotwali, District- Gaya
3. Md. Akram @ Sonu @ Bhindi S/O Md. Mansur Resident of Mohalla- Ward No 13, Panchayati Akahra Gaya, P.S- Kotwali, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sudhir Kumar Sinha
For the Opposite Party/s	:	Mr. Mohammad Sufyan
For the State	:	Mr. Nawal Kishore Pd.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 3 19-04-2025 1. Heard learned Counsel for the petitioners and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Kotwali Police Station Case No. 372 of 2024, dated 13.07.2024, disclosing offences under Sections 105/3(5) of the Bhartiya Nyaya Sanhita. 2023.
3. The prosecution case, as per the First Information Report, is that on 05.07.2024, in the midnight at about 12:0 AM, when the informant's son, namely, Md. Shahjad was going to his grandmother's home at Banke Gali no. 7 and reached near his grandmother's home the petitioners,



along with other co-accused persons, after shouting chor-chor caught the informant's son, assaulted him and handed over to the police. It has further been alleged that informant strongly believed that due to assault by the petitioners and other accused persons his son died on 07.07.2024 during course of treatment.

4. Learned counsel for the petitioners submits that the petitioners have falsely been implicated in the present case merely on suspicion and on the basis of false and concocted story. He next submits that there is no specific allegations against the petitioners and the allegation is general and omnibus in nature. He further submits that the a counter-case has been lodged by the side of the petitioners bearing Kotwali Police Station Case No. 359 of 2024, dated 06.07.204, against the deceased. The petitioners have got no criminal antecedent.
5. I have heard learned counsel for the parties and have gone through the materials available on record, including the impugned order.
6. From perusal of the impugned order, it appears that learned Additional Sessions Judge XII, Gaya, has taken note of the case diary and FSL report, which shows cause



of death of the deceased as hemorrhage and shock due to injuries to the liver. Considering the aforesaid and nature of allegation, gravity of the offence and severity of punishment, I am not inclined to grant the petitioners privilege of anticipatory bail.

7. This application is, accordingly, dismissed.

(Anil Kumar Sinha, J)

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