

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89451 of 2024

Arising Out of PS. Case No.-128 Year-2024 Thana- ALAMNAGAR District- Madhepura

Md. Umar @ Umar Faruque S/O Md. Ram Jan Ali @ Md Ramjani Resident
of village- Bargaon, ward no.- 05, Muslim Tola, P. S- Alam Nagar (Ratwara
O.P), Ditriect- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. N.K. Agrawal Advocate
: Mr. Uday Chand Prasad, Advocate
For the Opposite Party/s : Mr. Nitya Nand Tiwary, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 07-02-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest bail in
connection with Alamnagar (Ratwara O.P.) P.S. Case No. 128 of
2024 instituted for the offences under Sections 302, 120B of the
Indian Penal Code and Section 27 of the Arms Act.

3. Prosecution case, in short, is that the daughter of the
informant was shot dead by the accused persons including the
petitioner.

4. Learned counsel for the petitioner submitted that the



petitioner has falsely been implicated in the present case. Learned counsel for the petitioner submitted that general and omnibus allegation has been made against the petitioner. No specific overt act is alleged against the petitioner. Learned counsel further submitted that petitioner is the devar of the deceased has no concern with the family affairs of the deceased. There is no allegation of torturing, assaulting and demand of dowry against the petitioner. It has been submitted on behalf of the petitioner that the petitioner has no criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner stating that the allegation against the petitioner is serious in nature. Learned APP further submitted that there is specific allegation of firing upon the accused persons including this petitioner which is further supported by the post-mortem report.

6. Considering the aforesaid facts and circumstances of the case, there being specific allegation of firing against the petitioner, this Court is not inclined to grant anticipatory bail to the petitioner.

7. Accordingly, the prayer for grant of anticipatory bail to the petitioner is, hereby, rejected.

8. However, liberty is granted to the petitioner to



surrender before the learned court below within six weeks and pray for regular bail. If any such application is filed, learned court below shall consider the same on its own merit, without being prejudiced by this order.

(Rudra Prakash Mishra, J)

Alok Verma/-

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