

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38101 of 2014

Arising Out of PS.Case No. -2 Year- 2013 Thana -HATHAURI District- MUZAFFARPUR

1. Govind @ Govind Shahi S/o Late Rambabu Sahi R/o Rampur North,
Korlahia, P.S.- Hathauri, Distt.- Muzaffarpur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Tiwary

For the Opposite Party/s : Mr. Ram Shankar Das (App)

CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL ORDER

3 23-06-2015 Heard the Counsel for the petitioner, Mr. Roy for the
informant and Mr. Dayal, APP for the State.

Petitioner apprehends his arrest in connection with
Hathouri P.S. Case No. 2 of 2013 registered under Sections 302/34
of Indian Penal Code and Section 3(2)(5) of the SC/ST
(Prevention of Atrocities) Act.

The F.I.R was lodged against unknown alleging that
the son of the informant had gone to bazar and thereafter did not
return. On search, his dead body was found lying in the agriculture
field. In course of investigation, witnesses have stated that
petitioner was seen following the deceased while he was going to
bazar.

Learned counsel for the petitioner submits that except

the suspicion, there is nothing tangible against the petitioner. It is also stated that the basis of the information that the petitioner was last seen with the deceased has been negated by the person who is said to have said the same.

On the other hand, counsel for the informant states that in course of investigation, the wife and mother of the deceased have stated that the deceased was seen in the company of the petitioner. There is motive also to commit the offence.

Considering the seriousness of the allegation and the facts emanating from the record, particularly, the impugned order, in my view, petitioner does not deserve privilege of anticipatory bail.

Prayer is accordingly rejected.

(Kishore Kumar Mandal, J)

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