

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36420 of 2017

Arising Out of PS.Case No. -234 Year- 2016 Thana -MASRAKH District- SARAN

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1. Arvind Singh Son of Dhananjay Singh, R/o Village- Shekhpur, P.S.-
Masrakh, District- Saran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Roy

For the Opposite Party/s : Mr. Sri Bharat Bhushan

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 10-08-2017 Heard the parties.

The petitioner is apprehending his arrest in connection with Masrakh P.S.ase No.234 of 2016, registered for offences punishable under Sections 302 and 201/34 of the Indian Penal Code.

The petitioner is not named in the F.I.R. and there is allegation of assault also against the petitioner in the F.I.R., however, submission of the learned counsel for the petitioner is that the independent witness during the course of his examination has not taken name of this petitioner rather he has stated about father of the petitioner and it has also come in the case diary that the petitioner has participated in the funeral along with the informant and thereafter he has been falsely implicated in this case



only due to enmity. There is delay in lodging of the F.I.R.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above. To my opinion, this is not a fit case for anticipatory bail.

Let the petitioner surrender before the learned court below within a period of four weeks and prayer for regular bail, which will be considered by the learned court below on the basis of submission that the independent witness has not named this petitioner and there is delay in lodging the F.I.R.

Considering the aforesaid aspect of the matter as well as other materials available on the record, he will pass appropriate order without being prejudiced by the order of this Court.

With the aforesaid observation, this application is disposed of.

(Vinod Kumar Sinha, J)

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