

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38448 of 2019

Arising Out of PS. Case No.-404 Year-2018 Thana- SARAIYA District- Muzaffarpur

ARJUN PASWAN Son of Asharfi Paswan Resident of Village - Ufraul, P.S.-
Saraiya, District - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rina Sinha

For the Opposite Party/s : Mr.Abhay Kumar

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 20-09-2019 Heard learned counsel for the parties.

The petitioner is apprehending his arrest in connection with Saraiya P.S.Case No.404 of 2018 registered for offences punishable under Sections 302, 376, 201/34 of the Indian Penal Code.

Allegation against the petitioner is that the dead-body of the wife of the informant was found in the maize field. FIR was lodged against this petitioner suspecting that he has committed her murder after committing rape and the other accused persons. It further appears from para 42 of the case diary that one witness has stated that the petitioner and other accused persons were found moving in the maize field and also making *hulla-gulla* there.

Submission of the learned counsel for the petitioner is



that except suspicion there is nothing against him and he has falsely been implicated in this case and further submission is that final form was not submitted under Section 376 of the IPC rather under Section 302 and 201/34 of the IPC.

Heard learned A.P.P. , who has opposed the prayer for bail on the ground that there are some circumstances available against this petitioner. Nature of the case is heinous in nature. .

Having heard both sides and in view of the facts and circumstances, as stated above, I am not inclined to grant privilege of anticipatory bail to the petitioner, however, the petitioner is directed to surrender before the learned court below and make prayer for regular bail on the basis of materials available on the record and also considering the fact that as per submission, other accused persons have been granted bail by this Court.

With the aforesaid direction, this application is dismissed.

(Vinod Kumar Sinha, J)

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