

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44738 of 2019

Arising Out of PS. Case No.-343 Year-2018 Thana- ARWAL District- Jehanabad

Arbind Kumar @ Arbind Chaudhary, aged about 25 years, Male, Son of Dular Chaudhary, Resident of Village Ojhabigha, P.S. and District Arwal.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Paras Nath

For the Opposite Party/s : Mr.Suresh Prasad Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

5 30-09-2019 Heard both sides.

The petitioner apprehends his arrest in Arwal P.S. Case No.343 of 2018, registered under Sections 364 and 34 of the Indian Penal Code. Later on after recovery of the dead body of the deceased, Section 302 of the Indian Penal Code was added.

Learned counsel for the petitioner submits that the petitioner is not named in the FIR. Name of the petitioner figured in the case in the confessional statement of Govind Choudhary. The petitioner happens to be the elder brother of Govind Choudhary and the only allegation against the petitioner is that after death of the deceased, the petitioner helped his brother in order to dispose of the dead body and put the same by the river side but the learned counsel for the informant as well



as the learned Additional Public Prosecutor submit that Govind Choudhary had illicit relation with Yasoda Devi, the wife of Laldeo Choudhary and on account of such, Govind Choudhary with the help of the petitioner and others killed Laldeo Choudhary and covered his dead body under earth by the side of the river. Besides Govind Choudhary, Mithilesh Kumar also confessed his guilt. Mithilesh Kumar has been granted regular bail.

Taking into consideration the facts and nature of offence that the petitioner and others are alleged to have killed Laldeo Choudhary and concealed his dead body under earth by the side of the river, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the prayer for anticipatory bail of the petitioner is rejected.

(Prabhat Kumar Jha, J)

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