

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14136 of 2021

Arising Out of PS. Case No.-63 Year-2019 Thana- SAHIYARA District- Sitamarhi

BIKASH PASWAN @ VIKAS PASWAN S/O- Chhedi Paswan @ Shewi
Paswan R/O- Village - Matiyar Khurd, P.s.- Sahiyara, District - Sitamarhi.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok

For the Opposite Party/s : Mr.Hans Lal Kumar

Mr. Lakshmi Kant Sharma

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

5 08-04-2022 The learned counsel for the petitioner is directed to
remove all the defects pointed out by the Stamp Reporter within
one month.

Heard the learned counsel for the petitioner and
learned APP for the State through video conferencing.

The petitioner apprehends his arrest for the offences
alleged under Sections 302 and 201/34 of the Indian Penal
Code, registered in connection with Sahiyara P.S.Case No. 63 of
2019.

As per allegation, on the day of occurrence, the
present petitioner along with two co-accused persons named in
the FIR, took the informant's son Ramesh Kumar (deceased) by
motor-cycle, thereafter the dead-body of the deceased was found



hanging with a tree.

The learned counsel for the petitioner has submitted that there is no eye-witness of the occurrence and the petitioner has no complicity in the alleged offence.

From bare perusal of the FIR itself, there is allegation against the petitioner that he took the deceased with him by a motor-cycle and thereafter the dead-body was found. As such, the theory of last seen is proved. In the last portion of the FIR, the informant has stated that the present petitioner in complicity with the members of *Sasural* of the deceased have murdered his son.

I do not find it a fit case for anticipatory bail. The prayer for anticipatory bail on behalf of the petitioner is hereby rejected.

Office shall ensure that all defects are removed by the petitioner within the stipulated time as provided hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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