

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9798 of 2022

Arising Out of PS. Case No.-349 Year-2021 Thana- ROSERA District- Samastipur

=====

MINTU DAS @ MINTU KUMAR SON OF LAXMI DAS SR/O VILLAGE-
HANUMANNAGAR, SIHMA, WARD NO.11, P.S.- ROSERA, DISTRICT-
SAMASTIPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Binod Kumar Sinha

For the Opposite Party/s : Mr.Amit Kumar Rakesh

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 04-08-2022 Heard learned counsel for the parties.

The petitioner apprehends his arrest in a case registered for the offence under Section 302/34 of the Indian Penal Code.

As per the F.I.R., the allegation against petitioner is of committing murder of his brother.

It is submitted on behalf of petitioner that only on suspicion, this petitioner has been made accused. There is no independent eye-witness to the occurrence, but only on the statement of *Bhagini* (niece), this petitioner has been implicated. Petitioner is full brother of the deceased and he could never thought of committing murder of his own brother, but the informant, who is *Bhabhi* of petitioner, due to family dispute, lodged this false case against this petitioner.



However, learned A.P.P. for the State opposed the bail petition and submitted that petitioner is named in the F.I.R. and he was seen by none else but his own *Bhagini* and as such, the petitioner has been named in this case on the basis of statement of *Bhagini* of the informant.

Considering the specific accusation against this petitioner, I am not inclined to extend the privilege of anticipatory bail to the petitioner and same is, accordingly, rejected.

(Prabhat Kumar Singh, J)

anay/-

U		T	
---	--	---	--

