

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24286 of 2021

Arising Out of PS. Case No.-124 Year-2020 Thana- CHHATAUNI District- East Champaran

Sujit Paswan @ Sujit Kumar Son Of Late Rupnarayan Ram R/O Village-
Barkurwa, P.S.- Motihari Mufassil, Dist.- East Champaran Petitioner/s
Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jai Prakash Verma

For the Opposite Party/s : Mr. Awadhesh Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 03-02-2022 This matter has been taken up for hearing online
because of COVID-19 pandemic restrictions.

Heard learned counsel for the petitioner and learned
APP for the State.

Learned counsel for the petitioner is expected to
honour his undertaking to remove the defects as pointed out by
the office when called upon to do so by the office.

The instant application for anticipatory bail has been
filed by the petitioner apprehending his arrest in connection
with Chhatauni P.S. Case no. 124 of 2020 instituted for the
offence punishable under Sections 436 and 302 of the Indian
Penal Code.

As per allegation in the FIR, prior to the occurrence,
there was a quarrel between the deceased and the petitioner in
which petitioner has threatened to burn him alive. It is further
alleged that while the deceased was sleeping in his hut, one
person in white shirt and black pant was setting fire in the hut of



Sonu Kumar and succeeded in fleeing away as per seen the CCTV footage. Witnesses have identified the fled person as the petitioner.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has been falsely implicated in this case. As per postmortem report cause of death is shock due to dry burn. He has got no criminal antecedent. Name of the petitioner has been taken by the witnesses, which has no evidentiary value in the eye of law.

Learned APP appearing for the State has opposed the prayer of bail. He submitted that the petitioner is still absconding and processes under Sections 82 and 83 of the Cr.P.C. has already been issued against him.

Having heard learned counsel for the parties and taking into consideration that the case is heinous in nature and petitioner is named in the FIR and also there is specific overt act against him, I am not inclined to grant bail to the petitioner and, as such, his application for bail is rejected.

(Sunil Kumar Panwar, J)

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