

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21401 of 2022

Arising Out of PS. Case No.-577 Year-2020 Thana- SUGAULI District- East Champaran

ANIL KUSHWAHA @ DR. A.K. AZAD @ ANIL KUMAR AZAD S/o
Mangal Prasad R/o village- Nariarwa, P.S.- Turkauliya, Distt.- East
Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binod Kumar Singh
For the Opposite Party/s : Mr.Ganesh Prasad Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 22-09-2022 Heard learned counsel for the petitioner and learned APP
for the State.

Learned counsel for the petitioner undertakes to remove
the defects within four weeks of resumption of normal court
proceedings. In the eventuality of non-removal of defects within
stipulated period, office will place the matter before the Bench.

The petitioner apprehend his arrest in a case registered for
the offence punishable under sections 302, 406, 120B, 34 of the
Indian Penal Code.

Allegedly, the petitioner along with other accused persons
have killed the husband of the informant by slitting his neck.

It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has committed no offence. He



has been falsely implicated in this case due to dirty village politics. No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioner is not specific rather general and omnibus in nature. There is no eye witness to the occurrence. The petitioner has been made accused in the present case only on the confessional statement of co-accused. Petitioner has one criminal antecedent, which is also mentioned in para-3 of the bail application.

Learned APP for the State opposed the prayer for anticipatory bail and submits that there is ample evidence against the petitioner in the case diary.

Having regard to the facts and circumstances of the case, since there is ample evidence against the petitioner, I am not inclined to grant bail to the petitioner. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

This application is accordingly, dismissed.

(Anjani Kumar Sharan, J)

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