

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38875 of 2022**

Arising Out of PS. Case No.-204 Year-2021 Thana- SANDESH District- Bhojpur

SUBODH RAM Son of Tapeshwar Ram Resident of village - Hardas Tola,
P.S.- Chandi, Dist.- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar, Adv.
For the Opposite Party/s : Mr.H.A.Khan, APP

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

2 15-11-2022 Heard the parties.

Learned counsel for the petitioner is directed to remove the defects within four weeks.

The petitioner apprehends his arrest in connection with Sandesh P.S. Case No.204 of 2021, registered for the offence punishable u/s 302/34 of the IPC.

The allegation against the petitioner is that he along with other accused persons has killed the son of informant.

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 only on suspicion. No such occurrence as alleged ever took place. The allegation leveled against the petitioner is not specific rather general and omnibus in nature. There is no eye-witness to the alleged



occurrence. The alleged occurrence is said to have taken place on 06.10.2021 but the F.I.R. was lodged on 14.10.2021 i.e. after a delay of eight days. There is no plausible explanation for such delay in lodging the F.I.R., which itself creates doubt about the prosecution case. Petitioner has no criminal antecedent.

Learned APP for the State opposed the prayer for bail and submits that from perusal of the impugned order itself, it is evident that the learned court below has found that the witnesses have supported the prosecution case in para-8, 9 and 13 of the case diary.

Considering the nature of allegation and that the witnesses have supported the prosecution case, I am not inclined to enlarge the petitioner on bail. The prayer for anticipatory bail on behalf of petitioner named above is hereby rejected.

Accordingly, this application is dismissed.

(Anjani Kumar Sharan, J)

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