

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58975 of 2021

Arising Out of PS. Case No.-95 Year-2007 Thana- LAHERIMUHALLA District- Nalanda

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RAMESH SAO @ RAMESH KUMAR GUPTA Son of Sita Ram Sao R/o
Village- Chandaura, P.S.- Chhabilpur, District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raj Kishor Prasad, Adv

For the Opposite Party/s : Mr. Pramod Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 01-08-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner apprehends his arrest in a case registered
for the offence punishable under sections 302 and 201 of the
Indian Penal Code.

Allegedly, the informant found a dead body of an
unidentified lady, there was injury on her head.

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. 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. It is submitted that the petitioner is not
named in the F.I.R. and his name came during the investigation.



The petitioner has not been apprehended on the spot. Petitioner has no criminal antecedent, as also mentioned in para-3 of the bail application.

Learned APP for the State opposed the prayer for anticipatory bail by submitting that the F.I.R. was lodged against unknown persons, thereafter police has investigated the matter. The learned Magistrate found material against the husband of the deceased namely Ramesh Sao (petitioner) and took cognizance against him on 19.04.2017. After 10 years of the filing of the complaint by the informant, cognizance has been taken against the petitioner but the petitioner has filed the present case in the year 2021 i.e. after more than four years though the summon has been issued to the petitioner on 19.04.2017.

Having regard to the facts and circumstances of the case, since there is a delay in filing the present case, 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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