

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71522 of 2021**

Arising Out of PS. Case No.-21 Year-2021 Thana- KUNDWACHAINPUR District- East
Champaran

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Devendra Kumar @ Devendra Kumar Sah Son Of Hari Kishore Sah Resident
Of Village And P.S.- Kundwa Chainpura, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar, Advocate

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

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**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

3 27-09-2022 Heard learned counsel for the petitioner and learned
APP for the State and perused the case diary.

The petitioner is apprehending his arrest in a case
registered for the offence punishable under Sections 149, 342,
450, 376(D) (B), 302, 201 and 120B of the Indian Penal Code.

It is case of murder after committing rape with the
daughter of the informant.

It is submitted by learned counsel for the petitioner
that petitioner has falsely been implicated in this case and there
is no eye witness of the commission of murder rape with the
deceased.

However, learned APP for the State opposed the
prayer for anticipatory bail of the petitioner and submitted that



the petitioner is named in the FIR and circumstantial evidence is against the petitioner along with other accused persons. He further submits that they disposed of the dead body by burning as last rites of the deceased and it is submitted that vide para- 132 and 133 of the case diary, witnesses have supported that the petitioner after committing the rape with the deceased killed her. Vide paras 174 and 175 of the case diary, informant and his son also corroborate the prosecution case and narrate the incident.

After considering the facts and circumstances and gravity of the offence, I am not inclined to grant anticipatory bail to the petitioner.

Prayer for anticipatory bail is hereby rejected.

(Sunil Kumar Panwar, J)

Brajesh Kumar/-

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