

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.923 of 2023

Arising Out of PS. Case No.-567 Year-2022 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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ROHIT KUMAR Son of Dilip Mahto R/V- Hemara Tola (Raja Dumari) P.S-
Muffasil, Dist- Begusarai

... .. Appellant/s

Versus

1. The State of Bihar
2. Pinki Devi Wife of Nunu Babu Pawan R/V- Raja Dumari P.S- Muffasil,
Dist- Begusarai

... .. Respondent/s

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Appearance :

For the Appellant/s	:	Mr.Sabal Kumar Jha, Advocate
For the Respondent/s	:	Mr.Sadanand Paswan, Spl. Public Prosecutor
for respondent no.2		Mr. Anshu Dhar Sharma Advocate

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 21-06-2023 Heard learned counsel for the appellant, the State and
respondent no.2.

This appeal has been filed for setting aside order dated 11.1.2023, passed in a case registered for the offence punishable under sections 302/201/120B/34 of the IPC and section 3(2)(V) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, whereby prayer for anticipatory bail of the appellant has been rejected.

As per the prosecution case, this appellant along with other accused persons took away husband of the informant and next day his dead body was recovered near the railway track.

Learned counsel appearing for the appellant submits



that the appellant is innocent and he has falsely been implicated in this case on suspicion. Informant is not the eye witness of the occurrence. No direct or indirect evidence has come against the appellant during course of investigation to show his complicity in the occurrence. Appellant claims clean antecedent.

Counsel for the State and the respondent no.2 oppose the prayer for bail. There is direct and specific allegation that this appellant along with other accused persons took away husband of the informant and next day his dead body was recovered near the railway track.

Considering the facts of the case, I do not find any ground to interfere with the impugned order. Accordingly, this appeal, seeking pre-arrest of the appellant, is dismissed.

(Prabhat Kumar Singh, J)

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