

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21571 of 2023

Arising Out of PS. Case No.-508 Year-2022 Thana- TEKARI District- Gaya

Nakoya Kumari @ Rudha Devi Wife Of Pawan Yadav Resident Of Village-
Dumarsan, Ps- Tekari, Distt- Gaya At Present Resident Of Village- Tankuppa,
Po- Tankuppa, Ps- Konch, Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satya Veer

For the Opposite Party/s : Mr. Arvind Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 21-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 341, 323, 324, 307, 504 and 506/34 of the Indian Penal Code and later added Section 302 of the Indian Penal Code pending in the learned court below.

3. Allegation against the petitioner is that he along with other co-accused persons acting in furtherance of their common intention have committed the murder of the brother of the informant.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He further submits that the occurrence took place on



09.08.2022 but the F.I.R. registered on 12.08.2022. He submits that there is delay of three days in filing of the present F.I.R. and there is no any expalantion of it which creates serious doubt about prosecution case. He further submits that for a moment F.I.R. taken to be true there is no specific allegation of assault against the petitioner rather allegation is vague and omnibus, even informant has not stated regarding particular weapon was in possession of the petitioner. He submits that petitioner has got no criminal antecedent as stated in para-3 of the bail application.

5. Per contra, learned APP for the State vehemently opposes the bail application and submits that the petitioner is involved in the present case and case diary and post-mortem report had supported the prosecution case. Hence, he does not deserve anticipatory bail.

6. Considering the facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail in connection with Tekari P.S. Case No. 508/2022. Accordingly, his prayer for anticipatory bail is hereby rejected.

(Anjani Kumar Sharan, J)

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