

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25559 of 2023

Arising Out of PS. Case No.-97 Year-2021 Thana- BIHTA District- Patna

=====

DHARMENDRA PASWAN @ BHUWAR SON OF GANGA VISHUN
PASWAN, RESIDENT OF VILLAGE- GULAMALICHAK, PS- BIHTA,
DISTT- PATNA.

.. ... Petitioner/s

Versus

The State of Bihar.

... ... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Narendra Kumar

For the Opposite Party/s : Mr.Uday Pratap Singh

=====

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

4 26-07-2023 Heard the learned counsel for the petitioner as well as
the learned Additional Public Prosecutor for the State.

The petitioner apprehends his arrest in connection
with Bihta P.S. Case No. 97 of 2021, registered for offence
punishable under Sections 341, 342, 363, 328, 302, 120(B)/34
of the Indian Penal Code.

Earlier the anticipatory bail petition of the petitioner
was rejected, vide order dated 20.09.2022 passed in Cr. Misc.
No. 45910 of 2021. While rejecting the anticipatory bail petition
of the petitioner it was observed that there is specific allegation
against the petitioner that he assaulted the deceased and as per
the inquest report and post-mortem report, some injuries are



present on the person of the deceased.

The learned counsel for the petitioner has submitted that the fresh ground for filing this anticipatory bail petition is that there is no specific allegation on the petitioner to administer poisonous substance to the husband of the informant.

From a bare perusal of the *Fardbeyan* it appears that it was the petitioner, who brought the husband of the informant inside the house and administered poisonous substance, due to that, he died.

From perusal of the report received from the learned Trial Court it transpires that the petitioner remained absconding during entire period of investigation and the case of other accused persons was separated and committed to the court of Sessions and they are facing trial before the Sessions court, whereas the case of the petitioner was separated at the investigation stage and due to his absconding, the investigation has not been completed.

I do not see any reason to re-consider the earlier order. Accordingly, the prayer for anticipatory bail of the petitioner is rejected.

Senior Superintendent of Police, Patna is directed to appraise the Court regarding steps taken to arrest the



petitioner within four weeks.

List on 13th September 2023.

(Nawneet Kumar Pandey, J)

Mahesh/-

U		T	
---	--	---	--

