

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34282 of 2023

Arising Out of PS. Case No.-396 Year-2022 Thana- SABAUR District- Bhagalpur

SATRUGHAN PASWAN @ SATTO PASWAN Son of Late Meghu Paswan
Resident of Village- Bansitikar, PS- Sabour, district- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha, Advocate
For the Opposite Party/s : Mr. Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 24-06-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is an accused in connection with Sabour P.S. Case No. 396 of 2022 registered for the offences under section 396 of the Indian Penal Code lodged on 27.09.2022 by the informant, Radha Devi.

The prosecution case in brief is that on 26.09.2022 at 5.00 p.m., informant's husband Deo Kumar Singh left home for driving his *Toto* for earning as usual. In the late night, when he did not return to his house, the informant made contact with her husband on mobile phone at 11.00 P.M. who he replied that he is at Zero Mile. Again at about 1.30 P.M., when informant awoke, she contact her husband on mobile phone but his mobile phone was switched off. Then she started to trace out her



husband. In the morning, she was informed that the dead body of her husband was lying at a 'Mango Orchard' and his *Toto* vehicle, mobile phone and Golden chain were missing. Accordingly, the FIR.

Learned Counsel for the petitioner submits that although there is allegation of intercepting the informant's husband, when he had left home taking his '*Toto*' (vehicle) and subsequently, his dead body was found from the 'mango orchard', the petitioner was not named in the FIR.

Mr. Bharat Bhushan, learned APP for the State submits that subsequently, during the course of investigation, it transpired through CDR that there was conversation between the deceased and the petitioner whereafter the deceased left the place and subsequently, the dead body was found and the vehicle was missing.

Considering the kind of allegation that has come against the petitioner, this Court is not inclined to extend him privilege of bail which is accordingly rejected.

(Rajiv Roy, J)

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