

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66942 of 2022

Arising Out of PS. Case No.-450 Year-2021 Thana- MAHUA District- Vaishali

SAROJ KUMAR @ SAROJ KUMAR SINGH SON OF SRI DHODAI
SINGH R/O VILLAGE- BAIKUNTHPUR, WARD NO.02, P.S.-
RAJAPAKAR, DISTRICT- VAISHALI AT HAJIPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Navjot Yesu, Adv.

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

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 27-02-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner apprehends his arrest in connection with
Mahua P.S. Case No.450 of 2021, registered for the offence
punishable u/s 328 & 302/34 of the IPC.

As per the prosecution case, the F.I.R. named accused
persons have committed murder of the son of the informant by
administering poison.

It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has committed no offence. He
has been falsely implicated in this case. Petitioner is not named
in the F.I.R. and his name transpired in this case, in course of
investigation. No such occurrence, in the manner as alleged, has



ever taken place. The allegation leveled against the petitioner is not specific rather general and omnibus in nature. There is no eye-witness to the alleged occurrence and only on suspicion, he has been made accused in this case, on the basis that he is husband of named accused person. Petitioner has no criminal antecedent.

Learned APP for the State opposed the prayer for bail by submitting that petitioner is also involved in the alleged offence.

Having regard to the facts and circumstances of the case and considering the nature of offence, I am not inclined to enlarge the petitioner on bail. The prayer for grant of anticipatory bail on his behalf is rejected.

This application is accordingly dismissed.

However, petitioner is at liberty to surrender before the learned Court below within six weeks from today and seek regular bail and the learned Court below would pass the order, preferably, on the same day, in accordance with law, considering that the co-accused has been granted regular bail by co-ordinate Bench of this Court.

(Anjani Kumar Sharan, J)

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