

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70579 of 2022

Arising Out of PS. Case No.-37 Year-2022 Thana- BHAGWANPUR District- Begusarai

RAHUL KUMAR Son of Bhim Paswan Resident of village - Cheriya, P.S.-
Bhagwanpur, District - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam

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

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 19-06-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 302 and 201/34 of the Indian Penal Code pending in the learned court below.

As per the prosecution case, one Manoj Paswan has assaulted and murdered the younger brother of the informant, namely, Chhatrapal with the help of his brother Bhim Paswan and nephew Rahul Kumar.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He further submits that there is delay of two days in filing of the present FIR. He submits that there is no specific overt act



against the petitioner. He further submits that there is no any witness has supported the prosecution case. He further submits that petitioner has got no criminal antecedent as stated in para-3 of the bail application.

Per contra, learned APP for the State vehemently opposes the bail application and submits that the process under Section 82 and 83 Cr.P.C. has been completed against the petitioner. Hence, he does not deserve anticipatory bail.

Considering the facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail in connection with Bhagwanpur P.S. Case No. 37/2022. Accordingly, his prayer for anticipatory bail is hereby rejected.

(Anjani Kumar Sharan, J)

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