

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17641 of 2024

Arising Out of PS. Case No.-75 Year-2019 Thana- MOHAMMADPUR District- Gopalganj

Babuddin Mian @ Babu Ali Mian @ Md. Babudin @ Babudin Mian son of
Mobin Mian Village- Safiyabad Ps- Baikunthpur Dist- gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Lokesh Kumar Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 17-05-2024 Heard learned counsel for the petitioner and the
State.

2. Petitioner apprehends arrest in a case registered for
the offence punishable under sections 302, 201 and 34 of IPC .

3. As per the prosecution case, informant got
information that a dead body of unknown woman was lying at
Dharavi dam of *Amarpura*. On getting such information,
informant along with police personnel reached the place of
incident and prepared inquest report in presence of two
independent witnesses and F.I.R., was lodged against unknown
persons.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in this
case only on the basis of suspicion because he happens to be the



husband of the deceased. He next submits that informant is not an eye witness to the alleged occurrence . At the relevant time, petitioner was not present at the place of occurrence rather he was at Delhi. During course of investigation, it transpired that the victim had gone with two unknown persons on a motorcycle from her house and after that she became traceless and her dead body was found at *Dharavi Dam of Amarpura* .

5. Learned counsel for the State opposes the prayer for bail that petitioner is husband of the deceased and dead body of the deceased was found at the place far away from her matrimonial house and he cannot escape from this responsibility.

6. Considering the aforesaid facts and gravity of offence against the petitioner, prayer for pre-arrest bail of the petitioner is rejected.

(Prabhat Kumar Singh, J)

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