

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17940 of 2024

Arising Out of PS. Case No.-238 Year-2022 Thana- NATHNAGAR District- Bhagalpur

DEEPAK KUMAR @ DUBBA MANDAL @ DEEPAK MANDAL S/o
Thakur Mandal R/o Rasidpur Diyara, P.S.-Nathnagar, Dist.-Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajive Ranjan Singh

For the Opposite Party/s : Mr.Narsingh Tanti

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 05-04-2024 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Nathnagar PS Case No. 238 of 2022 registered for the
offences punishable under Sections 302, 506, 120B and 34 of
the Indian Penal Code and Section 27 of the Arms Act.

3. Learned counsel for the petitioner submits that
petitioner has been falsely implicated in the instant case by the
informant on account of dispute relating to land. It is next
submitted that informant is not an eye-witness to the occurrence
and she alleges that when she came out, she saw the petitioner
along with other accused at the place of occurrence talking that
the deceased has died and thereafter they fled with a gun in their
hand, when from the post-mortem report, it appears that the



deceased was assaulted by hard and blunt substance.

4. The learned APP vehemently opposes the anticipatory bail application of the petitioner and submits that from perusal of the FIR, it does not even remotely suggest that the informant alleges that her husband was killed by firearm, rather what the informant alleges is that when she came out, she saw the petitioner along with other accused standing with a gun and talking that her husband has been killed.

5. The learned APP thereafter raises a very valid point and submits that no wife would try to implicate someone falsely, when he is not involved in the murder of her husband.

6. Considering the submissions made by the learned APP, the Court is not inclined to extend the privilege of anticipatory bail to the petitioner.

7. Accordingly, the present anticipatory bail application is dismissed.

(Satyavrat Verma, J)

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