

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31151 of 2022

Arising Out of PS. Case No.-159 Year-2019 Thana- RAJIVNAGAR District- Patna

VISHWANATH SINGH S/o Late Lalu Singh @ Late Laldeo Singh R/o-
Village Bhikanpura, P.S. Desari (Chandpura O.P.), District- Vaishali, Bihar. At
Present - Rudra Residency, Flat No. 501, Ranjan Path, Gyandeo Gurukul
School, Abhiyanta Nagar, Gola Road, Danapur, Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Niranjan Parihar, Advocate

For the Opposite Party/s : Mr. Chandra Sen Prasad Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 5 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 a case
registered for the offence punishable under Section 302 of the
Indian Penal Code.
3. Learned counsel for the petitioner submits that
petitioner has been falsely implicated in the instant case by the
informant who is not an eyewitness to the occurrence. It is further
submitted that it is alleged in the FIR that the deceased who was
working with the petitioner was killed by the petitioner and his
henchmen.
4. Learned counsel for the petitioner submits that
petitioner has been falsely implicated for some ulterior reason
when the fact is that the deceased died on account of electrocution.



5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner and draws the attention of the Court to para 11 of the case diary to submit that from perusal of the postmortem report, it would manifest that the deceased was assaulted and had injuries on his body and the viscera was preserved and sent to the FSL for examination. Learned A.P.P. thus submits that had the deceased died on account of electrocution as being submitted by the learned counsel for the petitioner in that event the said fact would have surfaced in the postmortem report but then it appears from the postmortem report that the deceased was assaulted prior to his death.

6. Considering the submissions made by the learned A.P.P., the Court is not inclined to extend the privilege of anticipatory bail to the petitioner in connection with Rajiv Nagar P.S. Case No. 159 of 2019 pending in the Court of learned Additional Chief Judicial Magistrate-III, Patna/Successor Court.

7. Accordingly, the prayer for anticipatory bail is rejected.

(Satyavrat Verma, J)

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