

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64037 of 2024

Arising Out of PS. Case No.-90 Year-2024 Thana- GAIGHAT District- Muzaffarpur

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RAJEEV KUNWAR @ RAJEEV KUMAR Son of Ghananand Kunwar R/o
Village - Tejaul, P.S.- Gaighat, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Vaishnavi Singh

For the Opposite Party/s : Mr. Chandra Bhushan Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 23-10-2024 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Gaighat P.S. Case No. 90 of 2024 registered for the
offences punishable under Section 304 of the Indian Penal
Code.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and the informant
alleges that his minor daughter aged about 10 years on
31.03.2024 at 06:30 AM was going towards western field, when
the informant heard hue and cry that in the field of petitioner,
his daughter has come in contact with live wire, accordingly he
reached the place of occurrence and saw that both legs of his
daughter were stuck in the live wire and she died on account of



receiving electric shock.

4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant on account of village politics. It is also submitted that petitioner had never fenced his field by live wire. It is next submitted that a Title Suit No. 642 of 2021 was lodged by one Shrimati Sunia Devi and Shrimati Naveta Devi against the mother of the petitioner and others. It is submitted that it appears that on account of the said title suit, the informant has falsely implicated the petitioner in the instant case. It is further submitted that earlier one Complaint Case No. 1778 of 2023 was instituted by the mother of the petitioner against Santosh Kunwar, Dayanand Kunwar and Gopal Kunwar, which may have led to the false implication of the petitioner in the instant case.

5. Learned A.P.P. for the State, Mr. Chandra Bhushan Prasad vehemently opposes the prayer for anticipatory bail of the petitioner and submits that from perusal of the pleadings made at Paras 17 and 18 where the description of title suit and complaint case has been given, it would manifest that the same does not even remotely suggest that informant or his family member in any manner were associated with the aforesaid title



suit or the complaint case.

6. On query of the Court from the learned counsel appearing on behalf of the petitioner that how informant is associated with the aforesaid cases, on which it has been fairly submitted that informant is not associated with the aforesaid case.

7. At this stage, the learned APP for the State submits that what is not in dispute rather stands admitted is that the daughter of the informant died and no father would falsely implicate someone who is not involved with the offence.

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

9. Accordingly, the instant anticipatory bail application stands rejected.

(Satyavrat Verma, J)

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